

# Exhibit B

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHABTAI SCOTT SHATSKY, individually  
and as personal representative of the Estate of  
Keren Shatsky, JO ANNE SHATSKY,  
individually and as personal representative of  
the Estate of Keren Shatsky, TZIPPORA  
SHATSKY SCHWARZ, YOSEPH SHATSKY,  
SARA SHATSKY TZIMMERMAN, MIRIAM  
SHATSKY, DAVID RAPHAEL SHATSKY,  
GINETTE LANDO THALER, individually and as  
personal representative of the Estate of Rachel  
Thaler, MICHAEL THALER, individually and as  
personal representative of the Estate of Rachel  
Thaler, LEOR THALER, ZVI THALER, ISAAC  
THALER, HILLEL TRATTNER, RONIT  
TRATTNER, ARON S. TRATTNER, SHELLEY  
TRATTNER, EFRAT TRATTNER, HADASSA  
DINER, Yael HILLMAN, STEVEN BRAUN,  
CHANA FRIEDMAN, ILAN FRIEDMAN,  
MIRIAM FRIEDMAN, YEHIEL FRIEDMAN,  
ZVI FRIEDMAN, and BELLA FRIEDMAN,

Plaintiffs,

- against -

THE PALESTINE LIBERATION  
ORGANIZATION and THE PALESTINIAN  
AUTHORITY (a/k/a “The Palestinian Interim  
Self-Government Authority” and/or “The  
Palestinian National Authority”),

Defendants.

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Case No. 18 Civ. 12355 (MKV)

Plaintiffs’ First Requests for Admission  
to Defendant The Palestinian Authority  
in Connection with Jurisdictional  
Discovery

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PLEASE TAKE NOTICE that, pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure (the “Federal Rules”), the Local Civil Rules of this Court (the “Local Rules”), and the Court’s Order dated February 8, 2021 (Dkt. No. 60), Plaintiffs request that Defendant The Palestinian Authority respond to the following Requests for Admissions (“Requests”), by admitting or denying each Request within 30 days of service of these Requests, in accordance with the Federal Rules, the Local Rules, and the definitions and instructions set forth below. Responses to these Requests shall be supplied to Plaintiffs’ attorneys Cohen & Gresser LLP, Att’n: Stephen M. Sinaiko, 800 Third Avenue, New York, New York 10022.

#### Definitions

1. The definitions set forth in Rule 26.3(c) of the Local Rules are incorporated herein by reference and apply to these Requests.

2. “Benefit” means any tangible or intangible benefit of any kind to a person, including payments of money to or for the benefit of such person, delivery of securities or other property to or for the benefit of such person, providing employment to such person, and increasing such person’s salary or rank.

3. “Defendant” refers to PLO and/or PA, and includes but is not limited to the Commission for Prisoners and Ex-Prisoners, Department of Diplomacy and Public Affairs, General Department of Prisoners and Ex-Prisoners, General Department of the Police, General Intelligence Service, Institute for the Care of the Injured and the Martyrs’ Families a/k/a Foundation for the Care of the Families of Martyrs, or Foundation Care/Families of Martyrs & Wounded, Ministry of Education, Ministry of Finance, Ministry of Foreign Affairs, Ministry of the Interior and National Security, Ministry of Social Affairs, Ministry of Prisoners Affairs, Ministry for Prisoners and Ex-Prisoners, Mission to the United Nations, National Security

Organization and Administration Institution, Palestine National Fund, Preventative Security Service, Public Security Administration, Public Security Organization and Administration Institution, Security Forces Organization and Administration Institution, and any predecessor or successor to any of the foregoing.

4. “Designee” means any person designated by another person, including by a Prisoner, a Martyr or a Defendant, to receive any payment or other Benefit.

5. “East 65th Street Facility” means the facility located in a townhouse at 115 East 65th Street in New York City that is owned, maintained, occupied, or used by one or both Defendants.

6. “FASC” means the First Amended and Supplemental Complaint that Plaintiffs filed in this action on November 25, 2020 (Dkt. No. 50).

7. “Including” means “including without limitation.”

8. “Martyr” means any individual (a) who died while committing, conspiring to commit or participating in, any act or series of acts that injured or killed a National of the United States, or (b) whose death resulted from committing, conspiring to commit or participating in the commission of any such act or series of acts.

9. “Martyr Payment” refers to a provision of money or other Benefit by a Defendant, directly or indirectly, to a family member, the family, a Designee, or any other beneficiary of a Martyr, by reason of the Martyr’s death.

10. “National of the United States” has the meaning given such term in 18 U.S.C. § 2331(2).

11. “PA,” “you,” or “your” means The Palestinian Authority a/k/a The Palestinian National Authority, and includes any administration, agency, association, authority, bureau, center, commission, council, department, directorate, division, establishment, foundation, institute, institution, instrumentality, ministry, mission, organization, office, organ, or unit of or controlled by or under common control with The Palestinian Authority; anyone acting on behalf of, or at the direction of, The Palestinian Authority; and any predecessor or successor in interest, agent, representative, employee, consultant, attorney, or entity acting under the direction or control of any of the foregoing.

12. “PLO” means The Palestine Liberation Organization, and includes any administration, agency, association, authority, bureau, center, commission, council, department, directorate, division, establishment, foundation, institute, institution, instrumentality, ministry, mission, organization, office, organ, or unit of or controlled by or under common control with The Palestine Liberation Organization; anyone acting on behalf of, or at the direction of, The Palestine Liberation Organization; and any predecessor or successor in interest, agent, representative, employee, consultant, attorney, or entity acting under the direction or control of any of the foregoing.

13. “Prisoner” means any living or deceased individual who has been imprisoned or detained for committing, conspiring to commit, or participating in any act or series of acts that injured or killed a National of the United States.

14. “Prisoner Payment” means a payment of money or other Benefit by a Defendant, directly or indirectly, to a Prisoner or a family member, family, Designee, or other beneficiary of a Prisoner to receive such payment, pursuant to Palestinian Authority Law No. 14

and/or No. 19 of 2004, Palestinian Authority Government Decision No. 23 of 2020, or any successor or amendment, or any related provision of Palestinian law, regulation, policy, custom or practice. The term “Prisoner Payment” includes (a) a payment of money or provision of a Benefit to a family member, family, Designee, or other beneficiary of a Prisoner who was imprisoned at the time of payment; (b) a payment for the use of a Prisoner, including a benefit or expense relating to the Prisoner’s imprisonment, regardless of whether such Prisoner is employed by a Defendant; (c) a payment of money or provision of a Benefit to an individual who was formerly imprisoned but is not currently imprisoned, whether styled as a “loan,” “salary” or otherwise, if such payment or Benefit was approved by or in coordination with the Commission for Prisoners and Ex-Prisoners’ Affairs or a related, affiliated, predecessor, or successor entity; (d) a payment of money or provision of a Benefit on behalf of a person who was formerly imprisoned or the family member or other Designee of an individual who was imprisoned at the time of payment, such as the payment of any debt or obligation for benefits such as tuition or health care; (e) a payment of money or provision of a Benefit to any former prisoner who is or was an employee of a Defendant and who receives any credit, such as increased rank, seniority or salary, due to his or her time in prison; and (f) any Benefit provided by or through or in coordination with the Commission for Prisoners and Ex-Prisoners’ Affairs or a related, affiliated, predecessor or successor entity.

15. “PSJVTA” means the Promoting Security and Justice for Victims of Terrorism Act of 2019, Pub. L. 116-94, div. J, tit. IX, § 903 (codified at 18 U.S.C. § 2334(e)).

16. “United Nations Headquarters” means the geographic area within the State of New York, the City of New York, and the Borough of Manhattan defined by Article I,

Section 1(a) and Annex 1 of the Agreement Regarding the Headquarters of the United Nations signed on June 26, 1947, between the United Nations and the United States of America.

Instructions

1. The rules of construction set forth in Rule 26.3(d) of the Local Rules are incorporated herein by reference and apply to these Requests.

2. In your written response to these Requests, please restate each Request immediately prior to your response thereto.

3. Pursuant to Rule 36 of the Federal Rules, each request for admission shall be deemed admitted unless you serve a written answer in which you expressly deny the matter, object to the Request and set forth the legal basis for each objection, or state that after reasonable inquiry and investigation, you lack sufficient information upon which to either admit or deny the matter.

4. Any matter admitted under Rule 36 of the Federal Rules is conclusively established unless the Court, on motion, permits withdrawal or amendment of the admission.

5. Each response to a Request shall specifically admit or deny the factual matter set forth in the Request or set forth in detail the reasons why you cannot truthfully admit or deny the matter.

6. A denial shall fairly meet the substance of the requested admission and when good faith requires, you may admit only a part of a Request by expressly specifying the part of the Request as true and qualifying or denying the remainder of the Request in your response.

7. You may not assert lack of information or knowledge as a ground for failure to admit or deny a Request unless you state that you have made reasonable inquiry and

investigation and that the information that you know or could readily obtain is insufficient to enable you to either admit or deny the Request.

8. If, in responding to these Requests, you claim any ambiguity in interpreting a Request or a Definition or Instruction applicable thereto, you should not rely on such claim of ambiguity as a basis for refusing to respond, but you shall set forth, as part of your response to such Request, the language deemed to be ambiguous and the interpretation chosen in responding to the Request.

9. If you contend that a matter of which admission has been requested presents a genuine issue for trial, you may not, on that ground alone, object to the Request. You may, subject to Rule 36(a)(4) of the Federal Rules, deny the Request or set forth the reasons why you cannot admit or deny the Request.

10. For the purpose of reading, interpreting, and construing the scope of these Requests, terms not specifically defined shall be given their most expansive and inclusive interpretation.

11. These Requests shall not be construed as a waiver or abridgment of, and are not intended to waive or abridge, any of Plaintiffs' claims or arguments, or any objection to any of discovery requests Defendants may serve, nor shall these Requests be construed as an admission of fact or any legal concession.

#### Requests for Admission

Request for Admission No. 1: Admit that the attacks listed on Exhibit A to the FASC were "act[s] of terrorism that injured or killed a national of the United States" within the meaning of the PSJVTA.

Request for Admission No. 2: Admit that the persons whose names appear on Exhibit A to the FASC, under the heading "Individuals Who Died Perpetrating Attack," died while committing



“act[s] of terrorism that injured or killed a national of the United States” within the meaning of the PSJVTA.

Request for Admission No. 3: Admit that the persons whose names appear on Exhibit A to the FASC, under the heading “Individuals Who Pled Guilty,” pled guilty to committing “act[s] of terrorism that injured or killed a national of the United States” within the meaning of the PSJVTA.

Request for Admission No. 4: Admit that the persons whose names appear on Exhibit A to the FASC, under the heading “Individuals Who Pled Guilty,” after pleading guilty, were “imprisoned for committing any act of terrorism that injured or killed a national of the United States” within the meaning of the PSJVTA.

Request for Admission No. 5: Admit that the persons whose names appear on Exhibit A to the FASC, under the heading “Convicted Individual,” were convicted of committing “act[s] of terrorism that injured or killed a national of the United States” within the meaning of the PSJVTA.

Request for Admission No. 6: Admit that the persons whose names appear on Exhibit A to the FASC, under the heading “Convicted Individual,” after being fairly tried, were convicted of committing “act[s] of terrorism that injured or killed a national of the United States” within the meaning of the PSJVTA.

Request for Admission No. 7: Admit that the persons whose names appear on Exhibit A to the FASC, under the heading “Convicted Individual,” after being fairly tried, were convicted of and imprisoned for committing “act[s] of terrorism that injured or killed a national of the United States” within the meaning of the PSJVTA.

Request for Admission No. 8: Admit that, after April 18, 2020, the PA has made at least one Martyr Payment to a family member of a Martyr.

Request for Admission No. 9: Admit that, after April 18, 2020, the PA has made at least 20 Martyr Payments to family members of Martyrs.

Request for Admission No. 10: Admit that, after April 18, 2020, the PA has made at least 50 Martyr Payments to family members of Martyrs.

Request for Admission No. 11: Admit that, after April 18, 2020, the PA has made at least 100 Martyr Payments to family members of Martyrs.

Request for Admission No. 12: Admit that, after April 18, 2020, the PA has made at least one Prisoner Payment.

Request for Admission No. 13: Admit that, after April 18, 2020, the PA has made at least 20 Prisoner Payments.

Request for Admission No. 14: Admit that, after April 18, 2020, the PA has made at least 50 Prisoner Payments.

Request for Admission No. 15: Admit that, after April 18, 2020, the PA has made at least 100 Prisoner Payments.

Request for Admission No. 16: Admit that, after April 18, 2020, the PA has made Prisoner Payments to the persons whose names appear on Exhibit A to the FASC under the headings “Individuals Who Pled Guilty” and/or “Convicted Individuals,” or to Designees of those persons.

Request for Admission No. 17: Admit that, after April 18, 2020, the PA has made Martyr Payments to family members of the persons whose names appear on Exhibit A to the FASC under the heading “Individuals Who Died Perpetrating Attack.”

Request for Admission No. 18: Admit that, after April 18, 2020, the PA has provided funds to the PLO with the knowledge that the PLO would make one or more Martyr Payments or Prisoner Payments.

Request for Admission No. 19: Admit that, after April 18, 2020, the PA has provided funds to the PLO with the intent that the PLO would make one or more Martyr Payments or Prisoner Payments.

Request for Admission No. 20: Admit that, since at least 2014, it has been the practice of the PA to provide Benefits to family members, Designees, or other beneficiaries of individuals currently or formerly imprisoned or detained for committing, conspiring to commit, or participating in attacks against Israeli and Jewish targets.

Request for Admission No. 21: Admit that, since at least 2014, it has been the practice of the PA to provide Benefits to family members, Designees, or other beneficiaries of individuals currently or formerly imprisoned or detained for committing, conspiring to commit, or participating in attacks against Israeli and Jewish targets, which are provided solely by reason of the individuals’ imprisonment for committing, conspiring to commit, or participating in such attacks.

Request for Admission No. 22: Admit that, since at least 2014, it has been the practice of the PA to provide Benefits to family members of individuals killed in attacks against Israeli and Jewish targets.

Request for Admission No. 23: Admit that, since at least 2014, it has been the practice of the PA to provide Benefits to family members of individuals killed while participating in attacks against Israeli and Jewish targets, which are provided solely by reason of the individuals' death while participating in such attacks.

Request for Admission No. 24: Admit that, after December 19, 2019, the PA has not materially altered its practices with respect to the provision of Benefits to family members, Designees, or other beneficiaries of individuals currently or formerly imprisoned or detained for committing, conspiring to commit, or participating in attacks against Israeli and Jewish targets.

Request for Admission No. 25: Admit that, after December 19, 2019, the PA has not materially altered its practices with respect to the provision of Benefits to family members of individuals killed while participating in attacks against Israeli and Jewish targets.

Request for Admission No. 26: Admit that, since 2014, the PA has not materially altered its practices concerning the provision of Benefits to family members, Designees, or other beneficiaries of individuals currently or formerly imprisoned or detained for committing, conspiring to commit, or participating in attacks against Israeli and Jewish targets.

Request for Admission No. 27: Admit that, since 2014, the PA has not materially altered its practices concerning the provision of Benefits to family members of individuals killed in attacks against Israeli and Jewish targets.

Request for Admission No. 28: Admit that, on or about April 16, 2020, Mahmoud Abbas, Chairman of the PLO and President of the PA, stated that "[t]he issue of the prisoners will remain our first priority despite all the difficulties we are facing. This is to preserve the just, inalienable rights of our people."

Request for Admission No. 29: Admit that, on or about May 8, 2020, Ibrahim Milham, an official spokesman of the PA, stated: "The government confirms that it refuses to bow to Israeli pressure, will remain loyal to the prisoners and the martyrs, and will preserve their rights, regardless of how much pressure is applied."

Request for Admission No. 30: Admit that, on or about May 19, 2020, Mahmoud Abbas, the Chairman of the PLO and President of the PA, stated in a speech: "We vow to our honorable martyrs and heroic prisoners (just now, the Israelis have asked the banks not to pay the prisoners, but we shall keep paying them, no matter how much the [Israelis] scream) . . . ."

Request for Admission No. 31: Admit that, on or about June 1, 2020, Qadri Abu Bakr, Chairman of the PA's Prisoners and Ex-Prisoners Commission, stated that "the banks would continue paying the salaries of prisoners and of martyrs' families until a dedicated banking institution is set up for them."

Request for Admission No. 32: Admit that, on or about June 8, 2020, in response to an order from the Israel Defense Forces that banks which continued to administer terrorist prisoners' accounts would be in violation of Israeli law, PA Prime Minister Mohammad Shtayyeh stated:

The Israelis said: "You have to close 40,000 bank accounts that belong to prisoners." Some banks were afraid and all that, but we said to these banks: "That is a political decision. It is forbidden for Israel to expand its military rule to the Palestinian lands. Stay steadfast on this issue!" The Israelis backtracked. Just as they backtracked on this, on that, and on other things when [we] were steadfast and we persevered, I believe that on July 1 we will be in a different position.

Request for Admission No. 33: Admit that, on or about June 8, 2020, PA Prime Minister Mohammad Shtayyeh, during a television interview, stated: "we continued to pay the prisoners and the shahids in full," and "[w]e will remain committed to this until Judgment Day, until we are victorious, until the bloodbath stops, and until the prisons are closed. This is one issue to which we remain committed."

Request for Admission No. 34: Admit that, on or about July 5, 2020, WAFA, the PA's official news agency, carried a press release from Qadri Abu Bakr, Chairman of the PA's Prisoners and Ex-Prisoners Commission, announcing that four banks had failed to transfer salaries to approximately 150 relatives of prisoners and stating:

Abu Bakr demanded that all banks commit to paying the prisoners' allowances and refrain from closing any of the accounts, or cancelling any of the ATM cards, considering that failing to pay the prisoners' allowances would violate the directives of the [Palestine] Monetary Authority and the government, and that it would violate the agreement that had previously been concluded.

Request for Admission No. 35: Admit that, on or about July 9, 2020, Qadri Abu Bakr, Chairman of the PA's Prisoners and Ex-Prisoners Commission, stated in an interview: "Regarding the salaries, everything was fine. On Wednesday [July 8], obviously, after having discussions with some of the banks that were disbursement stations, almost all of the prisoners . . . we didn't receive almost any phone call from any prisoner."

Request for Admission No. 36: Admit that, on or about July 27, 2020, WAFA, the PA's official news agency, announced that the PA's General Intelligence Service had provided more than 30 special grants to families of prisoners and shahids from the town of Jenin, and that the payments were made "to implement what Mahmoud Abbas had repeatedly stated – that if we were left with just one penny, it would be given to the families of martyrs and prisoners."

Request for Admission No. 37: Admit that, on or about September 7, 2020, Qadri Abu Bakr, Chairman of the PA's Prisoners and Ex-Prisoners Commission, gave a televised interview in which the following exchange occurred:

Question: . . . you've said you'd submit your resignation, and then came the responses and the discussion, and conversations on the topic [of payments to prisoners] . . .

Abu Bakr: I mean, look, we're under tremendous pressure.

Question: Yes. From whom?

Abu Bakr: From the people, of course. The prisoners' families. From incarcerated prisoners. From ex-prisoners. We have an enormous amount of requests that we're unable of [sic] handle. . . . And as you've said, everyone is suffering from this situation, but the prisoners are especially suffering. As for myself, I personally feel that not enough is being done, in general, and in regard to us as well. We're the ones not doing enough.

Question: Ok. This failure, I mean, prisoner affairs should be a priority for everyone, including the payment of financial allowances to them. Mr. Qadri, do you believe that there is negligence, that the prisoners' issue is being neglected, and that it isn't one of the priorities concerning financial allocations?

Abu Bakr: No. I don't think so. That's because when the Israelis blocked the clearinghouse, a full salary was paid to them. One hundred percent was paid to the prisoners, and fifty percent was paid to the employees.

Request for Admission No. 38: Admit that, on or about September 28, 2020, WAFA, the PA's official news agency, stated as follows regarding Palestinian Prime Minister Mohammed Shtayyeh: "The Prime Minister explained that 350,000 salaries are paid every month, which go to military and civilian personnel, the needy families who amount to 120,000, including 81,000 families in the Gaza Strip, 140,000 employees in the West Bank and Gaza, in addition to 75,000 retired military and civilian personnel in the West Bank and Gaza, as well as the families of prisoners and martyrs at home and in the Diaspora."

Request for Admission No. 39: Admit that, after January 4, 2020, at least one person has provided labor or services to or on behalf of the PA while physically present in the United States.

Request for Admission No. 40: Admit that, after January 4, 2020, at least one person has provided labor or services to or on behalf of the PA while at the East 65th Street Facility.

Request for Admission No. 41: Admit that, after January 4, 2020, at least one person has provided labor or services to or on behalf of the PA while physically present in the United States and outside the United Nations Headquarters.

Request for Admission No. 42: Admit that, after January 4, 2020, at least one person has conducted an activity on behalf of the PA that is not covered by an exception under 18 U.S.C. § 2334(e)(3) while physically present in the United States.

Request for Admission No. 43: Admit that, after January 4, 2020, at least one person has conducted an activity on behalf of the PA that is not covered by an exception under 18 U.S.C. § 2334(e)(3) while at the East 65th Street Facility.

Request for Admission No. 44: Admit that, after January 4, 2020, at least one person has conducted an activity on behalf of the PA that is not covered by an exception under 18 U.S.C. § 2334(e)(3) while physically present in the United States and outside the United Nations Headquarters.

Request for Admission No. 45: Admit that, after January 4, 2020, the PA has reimbursed the expenses of at least one person in connection with activity such person conducted that is not covered by an exception under 18 U.S.C. § 2334(e)(3) while physically present in the United States.

Request for Admission No. 46: Admit that, after January 4, 2020, the PA has reimbursed the expenses of at least one person in connection with activity such person conducted that is not covered by an exception under 18 U.S.C. § 2334(e)(3) while at the East 65th Street Facility.

Request for Admission No. 47: Admit that, after January 4, 2020, the PA has reimbursed the expenses of at least one person in connection with activity such person conducted that is not covered by an exception under 18 U.S.C. § 2334(e)(3) while physically present in the United States and outside the United Nations Headquarters.

Request for Admission No. 48: Admit that, after January 4, 2020, the PA has continued to maintain at least one office, headquarters, premises, or other facility or establishment in the United States that is not used exclusively for the purpose of conducting official business of the United Nations.

Request for Admission No. 49: Admit that, after January 4, 2020, the PA has established or procured an office, headquarters, premises, or other facility or establishment in the United States that is not used exclusively for the purpose of conducting official business of the United Nations.

Request for Admission No. 50: Admit that the PA owns and maintains the East 65th Street Facility.

Request for Admission No. 51: Admit that, after January 4, 2020, agents, officers, and/or employees of the PA have used the East 65th Street Facility in New York City.

Request for Admission No. 52: Admit that, after January 4, 2020, agents, officers, and/or employees of the PA have used the East 65th Street Facility for purposes in addition to conducting official business of the United Nations.

Request for Admission No. 53: Admit that, after January 4, 2020, one or more individuals have provided “consular services,” such as the authentication of birth and death certificates and other forms, on behalf of the PA while physically located in the United States.

Request for Admission No. 54: Admit that, after January 4, 2020, one or more individuals have provided “consular services,” such as the authentication of birth and death certificates and other forms, on behalf of the PA while at the East 65th Street Facility.

Request for Admission No. 55: Admit that, after January 4, 2020, one or more individuals have provided “consular services,” such as the authentication of birth and death certificates and other forms, on behalf of the PA while physically present in the United States and outside the United Nations Headquarters.

Request for Admission No. 56: Admit that, after January 4, 2020, one or more individuals have, on behalf of the PA and while physically located in the United States, participated in the authentication and/or consideration for authentication of birth certificates, death certificates or other documents.

Request for Admission No. 57: Admit that, after January 4, 2020, one or more individuals have, on behalf of the PA and while at the East 65th Street Facility, participated in the authentication and/or consideration for authentication of birth certificates, death certificates or other documents.

Request for Admission No. 58: Admit that, after January 4, 2020, one or more individuals have, on behalf of the PA and while physically present in the United States and outside the United Nations Headquarters, participated in the authentication and/or consideration for authentication of birth certificates, death certificates or other documents.

Request for Admission No. 59: Admit that, after January 4, 2020, one or more individuals, while physically located in the United States, have conducted press conferences on behalf of the PA.



Request for Admission No. 60: Admit that, after January 4, 2020, one or more individuals, while at the East 65th Street Facility, have conducted press conferences on behalf of the PA.

Request for Admission No. 61: Admit that, after January 4, 2020, one or more individuals, while physically present in the United States and outside the United Nations Headquarters, have conducted press conferences on behalf of the PA.

Request for Admission No. 62: Admit that, after January 4, 2020, one or more individuals, while physically located in the United States, have created and distributed informational materials on behalf of the PA.

Request for Admission No. 63: Admit that, after January 4, 2020, one or more individuals, while at the East 65th Street Facility, have created and distributed informational materials on behalf of the PA.

Request for Admission No. 64: Admit that, after January 4, 2020, one or more individuals, while physically present in the United States and outside the United Nations Headquarters, have created and distributed informational materials on behalf of the PA.

Request for Admission No. 65: Admit that, on or about February 11, 2020, Mahmoud Abbas, Chairman of the PLO and President of the PA, held a press conference with former Prime Minister of Israel Ehud Olmert in New York City, during which Abbas made the following statement regarding a United States-proposed Israel-Palestine Peace Plan: “A few days ago, the so called deal of the century was introduced by America and totally went against international law and does not make way for a two-state solution. This cannot be a basis for any future negotiations as it will not make way for a joint peace.”

Request for Admission No. 66: Admit that, on or about November 19, 2020, Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, spoke about the Middle East Peace Plan at Seton Hall University.

Request for Admission No. 67: Admit that Exhibit A to these Requests is a true and accurate copy of an announcement of a November 19, 2020 event on the Middle East peace process with Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations.

Request for Admission No. 68: Admit that, on or about October 22, 2020, Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, participated in an interview on Facebook Watch hosted by the American-Arab Anti-Discrimination Committee while physically located in the United States.

Request for Admission No. 69: Admit that, on or about October 22, 2020, Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, participated in an interview



on Facebook Watch hosted by the American-Arab Anti-Discrimination Committee while at the East 65th Street Facility.

Request for Admission No. 70: Admit that, on or about October 22, 2020, Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, participated in an interview on Facebook Watch hosted by the American-Arab Anti-Discrimination Committee while physically present in the United States and outside the United Nations Headquarters.

Request for Admission No. 71: Admit that, after January 4, 2020, the PA has maintained and updated a website in the name of the State of Palestine, with the URL “palestineun.org.”

Request for Admission No. 72: Admit that, after January 4, 2020, the PA has maintained and updated a website in the name of the State of Palestine, with the URL “palestineun.org,” which is maintained on a server physically located in the United States.

Request for Admission No. 73: Admit that, after January 4, 2020, the PA has maintained and updated a website in the name of the State of Palestine, with the URL “palestineun.org,” which is maintained on a server physically located in the United States maintained by a service provider physically located in the United States.

Request for Admission No. 74: Admit that Exhibit B to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about January 10, 2020.

Request for Admission No. 75: Admit that Exhibit C to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about February 14, 2020.

Request for Admission No. 76: Admit that Exhibit D to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about February 20, 2020.

Request for Admission No. 77: Admit that Exhibit E to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about February 26, 2020.

Request for Admission No. 78: Admit that Exhibit F to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about March 13, 2020.

Request for Admission No. 79: Admit that Exhibit G to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about April 2, 2020.

Request for Admission No. 80: Admit that Exhibit H to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about April 15, 2020.

Request for Admission No. 81: Admit that Exhibit I to these Requests is a true and correct copy of a statement the PA published on “palestineun.org” on or about April 29, 2020.

Request for Admission No. 82: Admit that Exhibit J to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about May 13, 2020.

Request for Admission No. 83: Admit that Exhibit K to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about June 4, 2020.

Request for Admission No. 84: Admit that Exhibit L to these Requests is a true and correct copy of a letter the PA published on “palestineun.org” on or about July 24, 2020.

Request for Admission No. 85: Admit that Exhibit M to these Requests is a true and correct copy of a letter the PA published on “palestineun.org”, on or about August 6, 2020.

Request for Admission No. 86: Admit that Exhibit N to these Requests is a true and correct copy of a letter the PA published on “palestineun.org”, on or about August 17, 2020.

Request for Admission No. 87: Admit that Exhibit O to these Requests is a true and correct copy of an English translation of a speech given at the United Nations by Mahmoud Abbas, Chairman of the PLO and President of the PA, that the PA published on “palestineun.org” on or about February 11, 2020.

Request for Admission No. 88: Admit that Exhibit P to these Requests is an English translation of a speech given at the United Nations by a Riyadh Mansour, Permanent Observer of the State of Palestine to the United Nations, that the PA published on “palestineun.org” on or about April 23, 2020.

Request for Admission No. 89: Admit that Exhibit Q to these Requests is an English translation of a speech given at the United Nations by Riyadh Mansour, Permanent Observer of the State of Palestine to the United Nations, that the PA published on “palestineun.org” on or about May 27, 2020.

Request for Admission No. 90: Admit that Exhibit R to these Requests is an English translation of a speech given at the United Nations by Raid Malki, Minister of Foreign Affairs of the State of Palestine, that the PA published on “palestineun.org” on or about June 24, 2020.

Request for Admission No. 91: Admit that Exhibit S to these Requests is an English translation of a speech given at the United Nations by Riyadh Mansour, Permanent Observer of the State of Palestine to the United Nations, that the PA published on “palestineun.org” on or about July 21, 2020.

Request for Admission No. 92: Admit that, after January 4, 2020, one or more individuals have maintained or updated a Twitter account in the name of the State of Palestine on behalf of the PA while physically located in the United States.

Request for Admission No. 93: Admit that, after January 4, 2020, one or more individuals have maintained or updated a Twitter account in the name of the State of Palestine on behalf of the PA while at the East 65th Street Facility.

Request for Admission No. 94: Admit that, after January 4, 2020, one or more individuals have maintained or updated a Twitter account in the name of the State of Palestine on behalf of the PA while physically present in the United States and outside the United Nations Headquarters.

Request for Admission No. 95: Admit that, after January 4, 2020, one or more individuals have maintained or updated a Facebook account in the name of the State of Palestine on behalf of the PA while physically located in the United States.

Request for Admission No. 96: Admit that, after January 4, 2020, one or more individuals have maintained or updated a Facebook account in the name of the State of Palestine on behalf of the PA while at the East 65th Street Facility.

Request for Admission No. 97: Admit that, after January 4, 2020, one or more individuals have maintained or updated a Facebook account in the name of the State of Palestine on behalf of the PA while physically present in the United States and outside the United Nations Headquarters.

Dated: New York, New York  
March 4, 2021

Cohen & Gresser LLP

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rwick@cohengresser.com

*Attorneys for Plaintiffs*

# Exhibit A



Seton Hall University > School of Diplomacy and International Relations > Diplomacy News

# School of Diplomacy Virtual Events Series

**Thursday, October 15,  
2020**

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*By Elizabeth Halpin*

The School of Diplomacy and International Relations has organized a very exciting line up of special events for the Fall semester. Don't miss these opportunities to engage with renowned guest speakers and discuss the most important topics of the day!

**Tuesday and Wednesday, October 20-21 11-1:30 p.m.**

All Conflict is Local: Personal Experience, Reflection, and Conflict Resolution

Students and alumni with direct personal experience of conflict or a region that has experienced a violent conflict share their stories and reflections. [Join Microsoft Teams Meeting](#)

**Tuesday, October  
27 12 -1 p.m.**

Anti-Racist

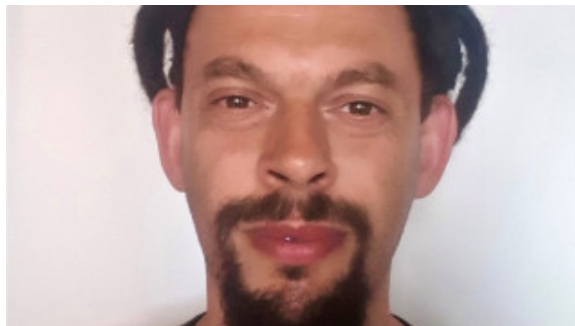
Training

With the

University's Chief

Equity, Diversity

and Compliance



Dr. Robbie Shilliam

Officer, Lori Brown, and leaders of the SHU Diversity and Inclusion Alliance.

[Join Microsoft Teams Meeting](#)

**Thursday, October 29 4 p.m.**

Cybersecurity: Highest US and International Threats and the Election

National Security Fellow, Mohamed Mirghahari, with experts Adam Nielson and Steve Olson.

Register by [clicking here](#).

**Monday, November 2 at 11:30 a.m.**

Center for Peace and Conflict Studies Speaker Series: Peacemaking in Lebanon with Assaad Chaftari, Co-founder and vice president at Fighters for Peace organization, an NGO based in Lebanon. RSVP Hussein.ibrahim@student.shu.edu.

**Wednesday, November 4 at 4:30 p.m.**

My Experience as a Black Professional: Culturally Navigating a Diverse Environment – Alumni Career Panel. Register by [clicking here](#).

**Thursday,  
November 13, at  
3 p.m.**

Decolonizing IR  
Theory: War, Peace  
and Anti-Colonial  
Self Determination



Amb. Riyadh Mansour

With Dr. Robbie Shilliam, professor of political science at Johns Hopkins. Register by [clicking here](#).

**Thursday, November 19 at 4 p.m.**

Middle East Peace Process

With Palestinian Ambassador to the UN, Riyad Mansour.

Join Microsoft Teams Meeting.

Categories: Nation and World

**For more information, please contact:**

Elizabeth Halpin

(908) 872-2945

elizabeth.halpin@shu.edu

# Exhibit B



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## 10 January 2020 – Escalating Illegal Israeli Settlement Activities

10 JANUARY 2020 BY PALESTINE AT THE UN

Excellency,

I regret that I am once again compelled to draw your attention to the illegal colonization campaign being carried out in Occupied Palestine by Israel, the occupying Power.

In every decision and action concerning the Palestinian land, Israeli government and military officials persist in flagrant disrespect of international law and the authority of the Security Council and are even seemingly undeterred by the specter of an investigation by the International Criminal Court, blatantly challenging both the rules-based order and the international community as a whole.

At the most fundamental human level, such actions continue to inflict immense hardship and suffering on the Palestinian civilian population, including thousands upon thousands of families who have been cruelly dispossessed of their land, homes, properties and livelihoods and forcibly displaced. Moreover, these actions severely undermine peace prospects, making the two-State solution on the pre-1967 borders more remote than ever and a one-State, apartheid reality more inevitable, to the detriment of all who live on this land.

From the start of 2020, the Israeli government has continued the same destructive trends as in 2019, escalating settlement activities with the obvious aim of not only entrenching its illegal occupation but annexing our land, an unlawful objective publicly declared by various Israeli officials, including the Prime Minister and members of his Cabinet. As typical of this ruthless occupation, the latest plans for the construction of thousands more illegal colonial settlement units in our land were revealed as the Palestinian people were in the midst of holiday celebrations, undermining spirits and hopes for the new year.

As per this most recent announcement, Israel, the occupying Power, is planning the construction of at least 2,000 more settlement units in Occupied Palestine. These settlements will result in the unlawful transfer of thousands more Israeli settlers to our land and further confiscation and exploitation of our natural resources, all in grave violation of international law, including the Fourth Geneva Convention, and countless United Nations resolutions, including Security Council resolution 2334 (2016), which demanded an immediate and complete cessation of all settlement activities in the Occupied Palestinian Territory, including East Jerusalem.



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As part of this illegal campaign, Israel, the occupying Power, has also continued its demolition of Palestinian homes in further grave breach of international humanitarian law, which prohibits the destruction of civilian property. Just this week, demolition orders were issued to 12 Palestinian homes in the Isawiye neighborhood of Occupied East Jerusalem, which has been most heavily targeted by this illegal policy. If carried out, these demolitions will render yet dozens more Palestinians, including women and children, homeless. In 2019, it was documented that the occupation authorities destroyed or seized 617 homes and structures in the occupied West Bank, including East Jerusalem, forcibly displacing 898 Palestinians. In addition to homes, demolished properties included many donor-funded humanitarian projects, agricultural structures, water pipes, wells and solar panels, with the majority located in so-called "Area C" of the West Bank, openly targeted by Israel for annexation.

Israeli Prime Minister Netanyahu, who is leading this frenzied, illegal colonization campaign, has continued to openly threaten annexation, bragging about his intentions to annex the settlements and the Jordan Valley and with the support of the United States of America. In this regard, in total contempt of international law and the repeated calls of the international community to cease these illegal actions, he recently declared: *"We are going to bring US recognition for our sovereignty in the Jordan Valley [and] in all the settlements, those in the blocs and those that are beyond it"*.

His threats, which have escalated with every round of the ongoing Israeli election campaign, are being loudly echoed by others Israeli officials, including the so-called "Minister of Defense", who is in full collaboration with settler leaders and is a settler himself and who recently mocked the United Nations, saying *"I am not the United Nations... I have a policy of fully supporting the settlements"*. Such comments, and more so their illegal plans and schemes, have been undoubtedly emboldened by the absolute political support and diplomatic protection of such impunity by the current US administration.

In this regard, it is stunning that the US Ambassador to Israel is actively promoting the illegal positions and objectives of the occupying Power in full complicity with its crimes. He is on record as stating just this week, using Biblical terminology to refer to the occupied West Bank, *"when we came into office the lingering issues included three of significant importance: the status of 1) Jerusalem, 2) the Golan Heights and 3) Judea and Samaria. We have approached them in ascending order of complexity."* Following the declarations of the US administration in December 2017 on Jerusalem, in March 2019 on the Occupied Syrian Golan, and in November 2019 on Israeli settlements, the meaning of such statements is starkly clear in encouraging and supporting Israeli settlement activities and annexation plans.

All Israeli colonization measures in Occupied Palestine, including East Jerusalem, must be condemned and neither threats nor attempts at annexation should go unchallenged. Such actions constitute flagrant breaches of international law, including the Charter of the United Nations, and direct violations of United Nations resolutions, including numerous Security Council resolutions that have explicitly demanded the cessation of such illegal policies and practices.

It is the duty of the Security Council and the High Contracting Parties to the Fourth Geneva Convention to act to uphold the rule of law, ensure accountability, and bring a halt to this illegal behavior, which is depriving our people of its patrimony and rights, including the inalienable right to self-determination, forcibly displacing them from their land, causing widespread human suffering and humanitarian need, and undermining the chances for a peaceful solution. Moreover, it is the duty of the International Criminal Court to ensure accountability for such war crimes, which these colonization activities, perpetrated across more than five decades incessantly and systematically, clearly constitute.

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Absent consequences, it is clear that Israel, the occupying Power, will persist with such crimes, irreversibly dismantling the two-State solution and destroying the foundations of a peaceful solution. The Palestinian leadership therefore reiterates its call upon the international community, at the forefront the Security Council, to act urgently to address this illegal situation in accordance with international law and the resolutions adopted by its highest organs.

Only accountability can end such impunity, deter future violations and salvage the prospects for a just peace that will allow the Palestinian people to finally live freely and equally in their homeland, side by side with all of their neighbors in peace and security.

This letter is in follow-up to our 678 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 11 December 2019 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Please accept, Excellency, the assurances of my highest consideration.

 Signature\_English

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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- Statement of H.E. President Mahmoud Abbas President of the State of Palestine UN General Assembly General Debate of the 75 th Session 25 September 2020 25 September 2020
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## 14 February 2020 – Israeli Provocations and the U.S. Plan

14 FEBRUARY 2020 BY PALESTINE AT THE UN

Excellency,

I write to draw your attention to recent critical developments and rising tensions, including in particular as a result of the relentless crimes, provocation, incitement and inflammatory rhetoric of Israel, the occupying Power, against the Palestinian people, their rights and their leadership.

On 28 January 2020, US President Donald Trump proposed a plan for the Israeli-Palestinian conflict, the provisions of which breach international law and the internationally-endorsed terms of reference and parameters for the achievement of a just, comprehensive and lasting solution, as enshrined in the relevant United Nations resolutions, and undermines the inalienable rights and national aspirations of the Palestinian people, including to self-determination and independence.

The plan attempts to legitimize Israel's illegal occupation, colonization and annexation of Palestinian land, deeming crimes such as the settlements, the wall and forced displacement of thousands of Palestinians as mere 'realities' that must be accepted; endorses Israel's illegal annexation of Occupied East Jerusalem; and validates further annexation schemes, effectively dismantling the two-State solution and turning the rules-based order on its head.

Insisting on an adherence to international law and the principles of equity and justice and respect for the inalienable rights of the Palestinian people, the State of Palestine, the League of Arab States, the Organization of Islamic Cooperation, the African Union and many other countries and organizations around the world have rejected this plan, stressing that it is unacceptable as a basis for peace and would only prolong the conflict and the injustice.

This message was firmly conveyed by President Mahmoud Abbas, President of the State of Palestine, in his address to the Security Council, on 11 February 2020, and was echoed by the overwhelming majority of Council members that reaffirmed the global consensus consistent with the longstanding, internationally-endorsed terms of reference and parameters for a just solution in accordance with international law, the relevant UN resolutions, the Madrid principles and the Arab Peace Initiative.

It is obvious that the unveiling of this unjust, provocative plan has emboldened the extremist right-wing Israeli government to intensify its illegal policies and measures, including threats and plans to annex large parts of the West Bank, including all Israeli settlements and the Jordan Valley, in grave breach of international law and with zero regard for consequences. Incitement and



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inflammatory statements every single day by Israeli officials illustrate that the occupying Power has abandoned all restraint and aims to only fuel an already burning fire through illegal actions and decisions over the coming weeks. Among such provocative statements, all made in the aftermath of the presentation of the US plan, are the following:

Deputy Minister Avi Dichter (28 January 2020): *“Now we have the duty to immediately apply the Israeli sovereignty on all the Israeli settlements in Judea and Samaria. The Jordan Valley will be our eastern border. The basic law which states that the entire united Jerusalem is the capital of Israel, was recognized today also by the United States of America. We must not wait for the moves of the Palestinian Authority.”*

Minister Zeev Elkin (28 January 2020): *“For sure it is a historic day and an undeniably historic period. Applying Israeli sovereignty immediately to at least 30% of Judea and Samaria (including the Jordan Valley and all areas of jurisdictions of Israeli communities) yes and yes! Establishing a Palestinian state in the heart of the country that will be a terror state and lead anti-Israeli incitement, emphatic no and no!”*

Minister Naftali Bennett (29 January 2020): *“Now the battle moves from the White House in Washington to the cabinet room in Jerusalem. We should not postpone this until after the elections, and should not agree to partial sovereignty—we should take everything now. In the coming days the order to apply sovereignty over the entire settlement areas should be brought to the cabinet table.”*

Member of the Knesset Ayalet Shaked (29 January 2020): *“...it is forbidden to accept the existence or the creation of a Palestinian state. Our starting point is that the creation of an Arab State in Judea and Samaria is dangerous and irresponsible.”*

Knesset Speaker Yuli Edelstein (30 January 2020): *“I say to the prime minister: if you return from Washington and ask to convene the Knesset plenum to capitalize on the historic willingness of the US administration to apply Israeli sovereignty over Judea and Samaria—I will convene the plenum at once! No matter the criticism, no matter how many harsh attacks, the right thing will be done.”*

Prime Minister Benjamin Netanyahu (14 February 2020): *“Irrespective of Palestinian acceptance or rejection, we are getting American recognition over parts of our homeland, while the Palestinians must make considerable concessions just to enter talks!”*

Such reckless declarations by Israeli officials and pursuit of such schemes underscore yet again the true nature of Israel’s colonialism, expansionism and lawlessness, the fuel of this more than half-century illegal foreign occupation. Israel’s lip service to peace has always been only a tactic, never a long-term objective. Such statements prove again that Israel’s professed commitment to the two-State solution is only a facade. The occupying Power has systematically enlarged and entrenched its extremist settler population in order to impose its vision of ‘Greater Israel’ on all of historic Palestine, working diligently to further its annexation of large areas of land in the West Bank, including East Jerusalem, in flagrant disrespect of the United Nations Charter, UN resolutions and all relevant provisions of international law.

Moreover, Israeli officials are aggressively transforming their provocative words into criminal action plans for formal annexation, with the Prime Minister brazenly announcing that Israel is *“already in the process of mapping the territory that according to the Trump plan will be part of the State of Israel... This won’t take a lot of time and we’ll complete this.”*

Such policies, combined with decades of “de facto” annexation of Palestinian land by the occupying Power, decades of failure by the international community to hold Israel accountable in that regard, and the current license

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for illegality presented by the Trump plan, are destroying the two-State solution and the essence of previously signed agreements. They have paved the pathway to an apartheid situation that no people would tolerate.

The international community must not remain silent in the face of such blatant crimes, and the urgency of action cannot be overstated. On 11 February, Middle East peace envoy Nickolay Mladenov warned the UN Security Council that unilateral steps and plans for annexation *"would have a devastating impact on the prospect for a two-state solution. They would close the door to negotiations, have negative repercussions across the region, and severely undermine opportunities for normalization and regional peace... In the absence of a credible path back to negotiations,"* he added, *"we all face a heightened risk of violence."*

In this regard, we are also compelled to draw your attention to the dangerous escalation of Israeli violence against the Palestinian people following the announcement of the Trump plan. Since late January, killings, injuries, imprisonment of Palestinian civilians and attacks against the blockaded Gaza Strip have intensified and continue unabated. In the recent period, Israel's use of willful and lethal force against Palestinian civilians has resulted in the tragic killing of five Palestinians, among them Badr Nafla, age 19, Yazan Abu Tabekh, age 19, Tareq Badwan, age 24, Mohammed al-Haddad, age 17, and Shadi el-Banna, age 45. It is clear that, to Israel, Palestinian lives, their aspirations, their human dignity, do not matter.

We call on the international community to put an end to this travesty of justice. Here we recall the appeal by President Mahmoud Abbas, President of the State of Palestine, during his address to the Security Council on 11 February, *"I tell the world: be careful not to kill the hope of the Palestinian people. I came here to preserve hope, don't take that hope away from us."*

We are grateful to all States, including the members of the Security Council, and the international organizations that have, at this critical moment, reaffirmed their principled positions on the need for serious and immediate efforts to uphold the UN Charter, international law, and the relevant resolutions as the most viable and direct path to achieve a just, lasting, comprehensive and peaceful solution to the Israeli-Palestinian conflict and to the Palestine question as a whole.

Statements alone, however, will not bring an end to the endless humiliations and aggression that the Palestinian people continue to endure, nor will they prevent Israel from further advancing and actualizing its settler colonial ambitions. Beyond statements, the international community has a duty to act, including the Security Council and the General Assembly, in accordance with their resolutions and the permanent responsibility of the United Nations until a just solution is achieved. Accountability is imperative.

All colonization and annexation must be stopped and reversed. States must not recognize as legitimate changes resulting from illegal Israeli policies and measures and acts of aggression in Occupied Palestine. An end must be brought to this illegal Israeli occupation of the West Bank, including East Jerusalem, and the Gaza Strip – the territory comprising the State of Palestine on the pre-1967 borders – and the Palestinian people must exercise their long-overdue right to self-determination, independence and sovereignty and must realize justice.

For the sake of the Palestinian people, the Israeli people, the prospects for their peace and coexistence and for Middle East and global peace and security, as well as for the sake of preserving the credibility and authority of the United Nations and the rules-based order against the threats they face, the international community must salvage the foundations of peace. This is a collective responsibility.

This letter is in follow-up to our 679 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes



the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 January 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights

violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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- 15 October 2020 – Israeli Settlements and Other Violations 15 October 2020
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# Exhibit D

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# 20 February 2020 – Illegal Israeli Settlement Activities

20 FEBRUARY 2020 BY PALESTINE AT THE UN

Excellency,

In follow-up to my recent letter of 14 February 2020 regarding the relentless crimes by Israel, the occupying Power, in Occupied Palestine, including East Jerusalem, I must draw your attention to Israel's continuing illegal settlement activities, land grab and annexation schemes.

Such illegal decisions and measures are further undermining the viability of the two-State solution on the pre-1967 borders and the horizon and prospects for a just and lasting solution. Moreover, as Israel's extremist right-wing government persists not only with such aggressive and oppressive policies, it also persists with its inflammatory rhetoric and incitement, ratcheting up tensions and threatening further destabilization of this already fragile situation.

On 18 February, Israel announced that it plans to construct yet another illegal settlement, comprising 9,000 units and a shopping centre, in Occupied East Jerusalem between the Palestinian neighborhoods of Kafr Aqab, Qalandiya and Al-Ram. If implemented, this would entail the demolition of dozens of Palestinian homes and the forcible transfer of hundreds more Palestinian civilians and further undermine contiguity of the Palestinian land. This provocative scheme was followed by the announcement today of plans to construct 2,200 additional settlement units in the illegal "Har Homa" settlement in the Palestinian neighborhood of Jabal Abu Ghneim in Occupied East Jerusalem, as well as another 3,000 units in the illegal settlement of "Givat Hamatos", which would completely sever the connection between Occupied East Jerusalem and Bethlehem.

If implemented, these provocative and destructive plans would constitute further grave breaches of international law, including international criminal law as articulated in the Rome Statute, flagrant violations of United Nations resolutions, including Security Council resolution 2334, and blatant disrespect of the international community's will as articulated inter alia in the numerous statements made in the Security Council only last week. The international community must be firm in demanding a halt to all such illegal activities by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and the reversal of all policies and attempts aimed at forcibly, unilaterally and unlawfully prejudging the outcome of negotiations.

It is clear that, before the eyes of the world, the Israeli government is doing everything in its power to bury the two-State solution and any chance for a just peace. As stated by Israeli NGO Peace Now, "*Netanyahu wants to strike another deadly blow to the prospect of a two-state solution. The planned*

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[9,000-units] settlement neighborhood drives a wedge in the heart of the Palestinian urban continuity between Ramallah and East Jerusalem, thus preventing the establishment of a viable Palestinian state with capital in East Jerusalem.”

The Israeli Prime Minister continues to boast about his criminal intentions and defiance of the international community, declaring today: “I established Har Homa when I was first prime minister in 1997, against the wishes of the entire world, and I am happy to see it expand. For years, governments opposed building there and in Givat Hamatos, and now we are building there”.

It must be noted here that these illegal settlement plans were drawn up years ago, and, given international pressure and the sensitivity of Jerusalem, were shelved pending emergence of a more permissive political environment. Undoubtedly, such conditions have been amply offered by the current US administration and its unjust, reckless “plan” for the Israeli-Palestinian conflict, which has clearly emboldened Israeli leaders to accelerate their expansionist, annexationist agenda.

In this regard, the US administration regrettably continues to exacerbate tensions, including with the decision to appoint the US Ambassador to Israel, David Friedman, as head of the joint US-Israel “committee” assigned to “map out” areas of the Occupied West Bank slated for illegal annexation.

It is astounding and deeply tragic that – despite the passage of more than a half-century of Israel’s occupation and the passage of more than seventy years of the dispossession, displacement and oppression of the Palestinian people in an ongoing and cruel *Nakba* – not only has the international community failed to sufficiently mobilize to redress this unlawful situation – from its root causes to the crises we witness today – but is passively witnessing a further deterioration of the situation and the compounding of the conflict. This regression of conditions on the ground and the prospects for achieving a just solution is unquestionably due in part to the lack of accountability for these illegal actions, permitting Israel’s illegal occupation to continue cost-free.

In this regard, it is deeply regrettable that some States have undertaken steps in recent days to shield Israel from criminal accountability at the International Criminal Court, obstructing the Palestinian people’s recourse to the justice they seek and deserve. Attempts to deny the applicability of international law to the Palestine question will only serve to perpetuate the occupying Power’s widespread criminal conduct and imperil the credibility of international law worldwide, to the detriment of humanity as a whole.

The dehumanization of the Palestinian people, and exceptionalism with which they are treated, as though they do not deserve justice or the protections of the law, must end. It must be understood that Palestinians, like their fellow human beings, are a people who cannot endure decades of violent oppression, domination and control by the Israeli occupation without voicing their rejection of this and demanding accountability for the grave injustices they are enduring.

It is not normal that a Palestinian boy should not be able to buy a sandwich without facing a threat to his life. There is nothing normal about the fact that on 15 February, on his way home from school with his sisters, 8-year old Malek Issa was shot in between the eyes by Israeli occupying soldiers after he stepped out from a restaurant in the East Jerusalem village of Issawiya. His skull and face were fractured, causing a hemorrhage in his brain, and leading him to lose his left eye. There is nothing normal about expecting the Palestinians to accept the barbaric and horrendous circumstances in which they have been forced to live under this illegal occupation.

We call yet again on the international community, including the Security Council, to uphold the responsibilities to redress this monumental injustice. Action must be taken to hold Israel accountable for all of its crimes before it is

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too late and peace prospects evaporate. It can no longer suffice to condemn or simply be appalled by Israel's illegal actions; practical measures are necessary to bring an end to Israel's occupation and to truly advance the establishment of a just and lasting solution. The Security Council must uphold its Charter duties and implement its own resolutions, without exception, as the first and most vital step for signaling to the occupying Power that its defiance will no longer be tolerated. The viability of the two-State is dependent on this as is the prospect for Palestinian-Israeli peace and security.

This letter is in follow-up to our 680 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 14 February 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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## 26 February 2020 – Escalation of Illegal Israeli Settlement Construction

26 FEBRUARY 2020 BY PALESTINE AT THE UN

Excellency,

I am compelled to write to you once again as Israel, the occupying Power, persists in rabid pursuit of its illegal colonization schemes in the Occupied State of Palestine, emboldened in its impunity and further exploiting the situation following presentation of the US plan for the Israeli-Palestinian conflict.

Following the Israeli announcement just last week of plans to construct more than 14,000 settlement units throughout the Occupied Palestinian Territory, including in particular in and around Occupied East Jerusalem and Bethlehem, severing the continuum of these cities and further isolating them from the rest of their natural Palestinian environs, the Israeli Prime Minister made yet another brazen settlement announcement on 25 February.

Yesterday, Netanyahu pledged to build 3,500 new illegal settlement units in the so-called “E-1” area, aiming to connect the illegal “Maale Adumim” settlement with Occupied East Jerusalem. These plans are not only in grave breach of the Fourth Geneva Convention, thus constituting war crimes, but also threaten to completely sever the northern and southern parts of the West Bank and further isolate East Jerusalem, completely undermining the Territory’s contiguity.

Together, these are premeditated and clear steps whose intention is to deal a final and decisive blow to the practicability of the two-state formula and yet further evidence of Israel’s agenda for permanent occupation. As stated by Israeli NGO Peace Now, “*Last time they tried to promote construction in E1 the world was shaken. This is a strategic area for the two-state, solution and building a settlement in E1 means that Israel is officially choosing to risk perpetual conflict instead of resolving it. It is no less than a national disaster that must be stopped before it is too late.*”

This string of Israeli announcements are a clear indication that Israel sees the US administration’s plan as a green light pursuing its expansionist annexationist ambitions, which Israeli officials, including candidates running in the election that will take place in less than one week, are scrambling to unilaterally implement on the ground.

Settlement plans in and around East Jerusalem that had previously been frozen as a result of international pressure and outrage, are now boastfully relaunched, with the extremist, rightwing Israeli government exploiting the current circumstances, including international inaction, to move forward with



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these illegal plans. As long as there is no accountability for its actions, Israel will clearly continue its contempt of the will of the rest of the international community and continue to trample the law and the chances for a just solution.

Such intentions were borne out once again, on 24 February, when the joint US-Israel “committee” formed to “map out” areas of the Occupied West Bank slated for illegal annexation toured the settlement of “Ariel” and Israeli Prime Minister Netanyahu provocatively stated: *“The process will be completed as quickly as possible; there is no artificial impediment... We are determining here lines that have historic implications. Therefore, the work will be done as quickly as possible, and we will not stop for anything.”*

Extremist Israeli settlers have been equally emboldened, calling for the full and immediate annexation of the West Bank and escalating their violent attacks on Palestinian civilians. On 21 February, under the protection of Israeli occupation forces, around 4,000 Israeli settlers aboard dozens of buses and cars raided the Palestinian villages of Laqba and Al Burj in the Jordan Valley and gathered on land belonging to the Latin Patriarchate in Tayasir, terrorizing the local population.

This utter disregard for Palestinians’ inalienable rights is the result of years of systematic dehumanization of the Palestinian people, who are treated by the occupation as undeserving of basic human rights and dignity. In Israel’s latest demonstration of unhinged cruelty and barbaric treatment of Palestinians, images were caught on video on 23 February of an Israeli military bulldozer dragging the body of a dead Palestinian man in Gaza. Reacting to the video, Israeli Minister Naftali Bennett then tweeted *“this is how it should be done, and this is how it will be done”*. Mohammed Ali al-Naim, age 27, had previously been shot dead by Israeli forces. Two Palestinian men who tried to retrieve the dead body were also injured by Israeli forces and ended up in hospital.

In a further demonstration of such utter contempt for Palestinian lives, the Israeli Prime Minister chose to visit to Al-Ibrahimi Mosque in Hebron, the same week marking the 26<sup>th</sup> anniversary since a terrorist Israeli settler, Baruch Goldstein, used an army-issued automatic rifle to fire on hundreds of Palestinian worshippers, murdering 29 Palestinians while as they were performing a dawn prayer during Ramadan in Al-Ibrahimi mosque, and injuring 150. That terror attack was followed by Israeli soldiers killing an additional 21 Palestinians who protested the massacre.

It should be recalled that These horrific acts led the Security Council to adopt its resolution 904 (1994), calling for *“measures to be taken to guarantee the safety and protection of the Palestinian civilians throughout the occupied territory, including, inter alia, a temporary international or foreign presence”*. It is not a coincidence that the mandate of the presence that was established – the Temporary International Presence in Hebron (TIPH) – was terminated by Israel just last year as it obviously seeks to forge ahead with its illegal plans in the City and the rest of the Occupied Palestinian Territory.

Without genuine international efforts to hold Israel accountable for all of its violations and crimes, the occupying Power’s impunity will only escalate. This is being blatantly exhibited by the contemptuous declarations of Israeli officials and by the incessant series of illegal actions on the ground that are aggravating already high-tensions and risk further destabilization of the situation.

It is past time for the international community, with the Security Council at the forefront, to answer such defiance by Israel, with a firm resolve for peace and rejection of all illegal actions and provocations. It must be unyielding in its response to the occupying Power and this requires immediate action. As stated by the UN Special Coordinator Nikolay Mladenov in his briefing to the Security Council on 24 February, *“Today, it is not enough to reaffirm the internationally agreed parameters on how the conflict can be resolved.”* This

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must include tangible measures now to save the viability of the two-State solution and the possibility for Israeli-Palestinian peace before it is too late.

We urge the international community to act now with concrete measures to uphold international law and to actualize the longstanding international consensus for a just solution as enshrined in the relevant UN resolutions. As stated by Pope Francis on 23 February, "inequitable" solutions to the Israeli-Palestinian conflict would only be a prelude to new crises, which we must collectively act to avert.

This letter is in follow-up to our 681 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 20 February 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter made available to the members of the Security Council for their immediate, valuable consideration and also distributed as an official document of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Signature\_English

Dr. Riyadh Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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## 13 March 2020 – Escalation of Illegal Israeli Annexation Measures and Settler Violence

13 MARCH 2020 BY PALESTINE AT THE UN

Excellency,

As the situation on the ground regrettably continues to deteriorate, I am compelled to write in follow-up of the critical matters and concerns raised in our recent letters following the announcement of the US administration's plan for the Israeli-Palestinian conflict. Since then, the situation in Occupied Palestine, including East Jerusalem, has been seriously aggravated as Israel, the occupying Power, escalates the pace of its illegal annexation and colonization schemes and its aggressions and inflammatory rhetoric against the Palestinian people. This has led to increased tensions, recurrent violence endangering Palestinian civilian lives, and further loss of Palestinian land to this illegal occupation.

Following a series of Israeli announcements last month of provocative and unlawful plans to construct more than 17,500 settlement units throughout the Occupied Palestinian Territory, particularly in areas in and around Occupied East Jerusalem and Bethlehem, on 27 February Israel approved plans for yet another 1,739 settlement units. Most of that construction is planned in settlements deep in the Occupied West Bank. It is clear that as the international community is focused on efforts and cooperation to confront the spread of the COVID-19 virus, Israel is exploiting the situation to expedite its long-planned *de facto* annexation of Palestinian land, in grave breach of international law and further shredding the contiguity of our territory, the two-State solution on the pre-1967 borders and the prospects for peace.

Moreover, on 9 March, as part of its ongoing threats to carry out the notorious "E-1" settlement project, Israeli officials have brazenly announced the construction of a new "Palestinian-only" apartheid road near the illegal settlement of "Maale Adumim". That road would connect with the existing apartheid road between the Palestinian villages of Anata and Za'ayyem that was built by the occupying Power in 2019, and would ultimately prevent Palestinian access from the southern part of the West Bank to Jericho and the Jordan Valley to the east. All of this entails the seizure of large swathes of Palestinian land and would obviously facilitate Israeli colonization plans for the area. This is being done in absolute contempt of the constant international calls to cease such actions and the warnings that if implemented these measures would gravely undermine the territorial contiguity of Palestine.

As stated by the Israeli NGO Peace Now in relation to this reckless and illegal move: *"The planned road would allow Israel to cut the West Bank in half, build up E1 and the West Bank barrier, and shut down the possibility of developing a viable Palestinian state. The only roads Israel paved for Palestinians in its*



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*52 years of control over the Territories were designed to allow Israel to build settlements or barriers that block existing Palestinian routes. There is no desire here to improve Palestinian transport, only to expand the settlements.”*

Such measures are yet further evidence of the occupying Power's agenda to entrench its occupation and obstruct the physical viability of the two-state formula. Moreover, this intention has been explicitly expressed countless times, including on 19 February by Israeli Minister Bazelel Smotrich, who provocatively stated: **“As you know we oppose the idea of a Palestinian state and we will fight with all our power against its establishment. As you know there is no such thing as Palestinian people so that there can be a Palestinian state. Not today, not tomorrow, not in this or that border, not by this name and not by other names...”**

Similarly, on 27 February, his colleague Naftali Bennet wrote on his Facebook page: **“No to a Palestinian state of any kind (including “demilitarized”). Yes to construction and imposing sovereignty!”** On 3 March, the Israeli Prime Minister then repeated his pledge to annex all Israeli settlements and the Jordan Valley in front of a cheering crowd of supporters of his right-wing agenda, further stoking incitement and extremist fervor in this regard. In this regard, it is relevant to note that, in a survey of young Jewish Israelis aged 18-24 published by Israeli daily newspaper Haaretz on 1 March, it is reported that 40.2% of them support the annexation of all of the West Bank, and 29.6% of them support a peace deal based on a two-State solution.

Such inflammatory rhetoric and pursuit annexationist measures – flagrantly challenging international law and the international community – have been non-stop and markedly escalated in recent weeks. No doubt, Israeli officials have only been further emboldened following presentation of the US plan and ongoing steps by the current US administration appearing to assist Israel in stripping Palestinians of their rights and identity, such as in a recent State Department report that has removed the reference to Palestinians in Occupied East Jerusalem, instead referring to them as “Arab residents” of the City.

Moreover, such escalating rhetoric and aggression against the Palestinian people has led to heightened tensions and violence, with extremist Israeli settlers calling for the full and immediate annexation of the West Bank and escalating their daily terrorist attacks against defenseless Palestinian civilians across the occupied West Bank, including in East Jerusalem. Such attacks continue to be carried out under the protection of Israeli occupation forces and, in many cases, with their support all over the Occupied Palestinian Territory.

In recent days, Israeli settlers have repeatedly raided Mount Al-'Arma near Nablus in the occupied West Bank in an attempt to forcibly seize the area with the active participation of the Israeli army. Palestinians in Beita-Nablus have organized peaceful, civilian sit-ins aimed at protecting their land and stopping the settlers from taking over the hilltop. In doing so, they have been met with repeated assaults from Israeli forces that were equipped with around 40 military vehicles and two bulldozers and with violent attacks by Israeli settlers.

The latest victim of such violence by the occupation was a young Palestinian boy, Mohammed Hamayel, age 15, who was shot in the head and killed by Israeli live fire at Mount Al-'Arma. At least 16 other Palestinian were injured in the attacks. During a similar incident in the same village on 28 February, Israeli occupation forces injured over 100 Palestinians, including children.

At the same time, the Bethlehem area, which is the epicenter of Palestine's COVID-19 outbreak and under strict measures of quarantine, has been targeted by Israeli settlers, who have exploited the cordoning off of the area, uprooting at least 1,200 olive and vine trees as part of their ongoing environmental terrorism. When news of suspected cases of COVID-19 at a hotel in Bethlehem appeared, Israeli social media users applauded the news with provocative comments and incitement against the Palestinian people,

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including such statements as: “*amazing, I wish it kills them all*”, “*finally, good news*” and “*I wish success to corona*”.

This utter disregard for Palestinian lives is without doubt the result of years of systematic dehumanization of the Palestinian people by the Israeli occupation authorities, from the Prime Minister on down. It has created a culture of incitement and hate prevalent among supporters and enablers of the Israeli occupation, especially among extremists.

Here, I must also bring to your attention, a report published on 6 March in the Israeli daily newspaper Haaretz, which revealed harrowing testimony by Israeli army snipers who were involved in army violence unleashed against peaceful Palestinians protesters demanding an end to the Israeli blockade during the “Great Return March” in Gaza. Such violence has resulted in the killing of over 300 Palestinian protesters with tens of thousands more injured or maimed for life.

In the report, one of the soldiers is quoted as he boasts about the numbers of knees of Palestinians that he shot: ***“From the point of view of hits, I have the most. In my battalion they would say: ‘Look, here comes the killer.’ When I came back from the field, they would ask, ‘Well, how many today?’ You have to understand that before we showed up, knees were the hardest thing to rack up. There was a story about one sniper who had 11 knees all told, and people thought no one could outdo him. And then I brought in seven-eight knees in one day. Within a few hours, I almost broke his record.”***

He then brags about breaking the “knee record” during a demonstration that took place on the day the US embassy in Jerusalem was inaugurated on 14 May 2018: ***“On that day, our pair had the largest number of hits, 42 in all. My locator wasn’t supposed to shoot, but I gave him a break, because we were getting close to the end of our stint, and he didn’t have knees. In the end you want to leave with the feeling that you did something, that you weren’t a sniper during exercises only. So, after I had a few hits, I suggested to him that we switch. He got around 28 knees there, I’d say.”***

He goes on to say: ***“After some time there, in a debriefing, I said: ‘Let me just once take down a kid of 16, even 14, but not with a bullet in the leg – let me blow his head open in front of his whole family and his whole village. Let him spurt blood. And then maybe for a month I won’t have to take off another 20 knees.’”***

Such shocking and repulsive rhetoric is further damning evidence of war crimes committed in cold blood against Palestinian civilians and of their constant and total dehumanization by this illegal, barbaric occupation. These crimes will continue unabated, as they have over decades, unless the international community, with the Security Council at the forefront, moves beyond declarations of regret and concern to decisive action, including measures of accountability. There must be a cost to the defiance of international law. This is a moral and legal imperative.

Urgent efforts must be taken to bring about the achievement of the right of the Palestinian people to self-determination, without which the basic rights of Palestinians will continue to be trampled on and their lives constantly endangered. Palestinian statehood and the chances of peace must be salvaged, and annexation deterred with immediate action.

In this regard, we draw attention to a letter, published by *The Guardian* on 27 February 2020, by 50 former European ministers stressing that: ***“Peace to Prosperity is not a roadmap to a viable two-state solution, nor to any other legitimate solution to the conflict. The plan envisages a formalisation of the current reality in the occupied Palestinian territory, in which two peoples are living side by side without equal rights. Such an outcome has characteristics similar to apartheid – a term we don’t use lightly.”*** Such cautionary words are most striking and important, but they require concerted, collective follow-up



and action by the international community to be given meaning and to contribute to upholding international law salvaging the prospects for peace.

As stated by United Nations Special Rapporteur Michael Lynk, *"Criticism without consequences guarantees that settlement expansion and annexation will continue. I call upon the international community to review its extensive menu of sanctions and countermeasures to stem this march towards further illegality. Settlement products should not enter the international marketplace. Agreements, existing and proposed, with Israel should be reviewed. The current investigations at the International Criminal Court should be supported."* Lastly, at this critical juncture, we must also appeal to the international community for continued vital humanitarian assistance to the Palestinian people. We urge in particular support to UNRWA to continue uninterrupted its indispensable assistance to Palestine refugees. According to a report issued on 28 February, UNRWA stands before an unprecedented financial crisis and, up to now, there are no funds for emergency programs in Gaza and the West Bank, despite an unanticipated additional need of \$10 million to fund UNRWA's immediate response to the COVID-19 pandemic. The Agency could soon be forced to cancel programs and services, with dire impact on humanitarian conditions and stability in the refugee community. This can only be urgently averted with the support of the international community.

This letter is in follow-up to our 682 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 26 February 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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## 2 April 2020 – Israeli Violations amid COVID19 pandemic

02 APRIL 2020 BY PALESTINE AT THE UN

Excellency,

In follow-up to our recent letters on the critical situation in the Occupied Palestinian Territory, including East Jerusalem, I must draw attention to the human rights violations and crimes that continue to be perpetrated by Israel, the occupying Power, against the Palestinian people. Even in these critical days, as the COVID-19 pandemic poses unprecedented challenges across the international community, including in Palestine, the occupying Power has not for a minute ceased its illegal policies and practices.

Before proceeding, I wish, on behalf of the Palestinian Government and people, to extend our sincere solidarity to all afflicted and convey deepest condolences to all bereaved families and countries on the tragic loss of life caused by this virus.

As of this date, the State of Palestine has confirmed 155 cases of the COVID-19 virus, 12 of which are in the Gaza Strip, and one death caused by the virus. A state of emergency has been declared and the country is in lockdown with a view to stemming the virus' spread, protect our population, and ensure their well-being. Despite limited resources and the hardships and restrictions already being borne under Israel's illegal occupation, our national institutions are exerting all possible efforts to respond to this health crisis and its immense humanitarian and socio-economic impact.

Regrettably, however, in the West Bank, including East Jerusalem, Israel is exploiting the state of emergency and lockdown to accelerate its illegal settler-colonization plans, including through the continued demolition of Palestinian homes, destruction of crops, and forcible transfer of Palestinian families. At the same time, military raids in Palestinian areas have continued, as have Israeli settler attacks on Palestinian civilians, in numerous instances undermining efforts to combat the pandemic.

As reaffirmed by the United Nations Special Coordinator in his 31 March briefing to the Security Council and as detailed in our previous letters, Israeli settlement construction and expansion and annexation threats have continued unabated. In blatant violation of international law and UN resolutions, including resolution 2334 (2016), Israel is pressing forth with the construction of thousands more settlements units, further fragmenting the contiguity of our land and destroying the viability of the two-State solution.

The seizure of Palestinian lands and destruction of properties also continues. On 25 March, Israeli forces razed Palestinian lands, several hundred meters



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from a high school serving the village of Jalud, in order to expand a nearby illegal Israeli settlement and build a road connecting it to other settlements. On 26 March, occupying forces stormed the Palestinian village of Ibziq in the Jordan Valley, seized equipment and demolished a residential structure, a water pump and an electricity generator. This included confiscation of material meant to form eight tents for the construction of an emergency first-aid clinic to offer health services amid the COVID-19 pandemic.

Such cruel acts are not isolated incidents. Rather, they reflect the regular and constant abuse and harassment inflicted by the Israeli occupying forces on vulnerable Palestinian communities, including in the Jordan Valley, to drive them out of their homes and make way for illegal annexation. Moreover, these actions clearly violate basic human and humanitarian principles, especially during a health crisis, including Article 56 of the 4<sup>th</sup> Geneva Convention, which requires that the occupying power ensure that all necessary preventive means available to it are utilized to combat the spread of contagious diseases and epidemics and ensure the well-being of the occupied population.

In addition to the destruction of a health clinic being constructed, other actions undermining Palestinian efforts to contain the virus have included, *inter alia*: the detention on 25 March of four Palestinians for disinfecting public facilities near the Lions' Gate in Occupied East Jerusalem and the seizure of their disinfection equipment; the obstruction of efforts by Palestinian volunteers in Al-Khalil (Hebron) to disinfect neighborhoods and educate the local population on the pandemic; the assault on 30 March of Palestinians working in local emergency committees created to help detect coronavirus cases; and the intentional and repeated acts of spitting by dozens of Israeli soldiers at Palestinians' cars, walls and doorsteps to intimidate residents amid the COVID-19 outbreak on 27 March in Al-Khalil.

Simultaneously, the level of violence perpetrated by extremist Israeli settlers has risen with a spike in attacks against Palestinian civilians and properties since imposition of the lockdown in the West Bank, particularly in the villages of Madama, Burqa and Burin. Settlers have exploited the confinement of Palestinians in their homes to amplify attacks against them and destroy and pillage property. Also, on 1 April, settlers from the illegal "Ramot" settlement stood at the entrance of the village of Beit Iksa and spat at Palestinian cars entering or leaving the village in an attempt to spread fear of infection.

The systematic dehumanization and mistreatment faced by the Palestinian people by this illegal occupation, even in times of a global pandemic and when the rest of the world is joining in acts of humane solidarity, is further illustrated by Israel's treatment of Palestinian laborers in Israel who are suspected of being infected with the COVID-19 virus. In a recent video circulated on social media, a Palestinian laborer is seen lying on the side of a road near an Israeli checkpoint on the outskirts of Beit Sira village in the West Bank, struggling to breathe. It was later discovered that his Israeli employer, after seeing him severely sick and suspecting he had the virus, called the Israeli police, who then picked him up and dumped him at the checkpoint. Another tragic example is the killing on 22 March of a Palestinian man, Sufian Khawaja, age 29, after Israeli soldiers opened fire at a car he was in along with his cousin, who was injured.

Such contempt for Palestinian lives is also starkly reflected in the treatment of Palestinians in Israeli prisons. Israel is refusing to heed calls for the release of the more than 5,000 Palestinians, including 180 children and 43 women, that it currently holds captive in its prisons and detention centers, despite four Palestinian prisoners having been exposed to an Israeli employee at an interrogation center who tested positive for COVID-19. Here we must remind that Israeli jails are overcrowded, lacking minimum health and safety standards, and that poor conditions, including the requirement for prisoners to pay for their own medical treatment and blatant medical neglect, have led prisoners to launch several hunger strikes in recent years. Dozens of Palestinian prisoners also suffer from serious or chronic illnesses and are in

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need of urgent medical care. To make matters worse, Israel removed all doctors and nurses who were previously tending to Palestinian prisoners, leaving only one nurse per prison, yet a further shocking act of medical negligence.

In this time of crisis, Palestinians also face another consequence of this decades-long occupation – a dilapidated and depleted healthcare system that is marked by poor infrastructure and sanitation, a shortage of supplies and inadequate equipment. With just 1.23 beds per 1,000 people, 2,550 working doctors, less than 20 intensive care specialists and less than 120 ventilators in all public hospitals, the West Bank will face a public health disaster if the virus spreads further. And, while the healthcare situation there is bleak, in the Gaza Strip it is catastrophic.

As noted by OCHA on 26 March, *“although the current number of detected cases remains relatively low, the capacity of the Palestinian health system to cope with an expected increase in COVID-19 cases is severely impaired by longstanding challenges and critical shortages...the situation is particularly severe in the Gaza Strip.”* For a population of nearly 2 million, half of whom are children, Gaza has only 56 breathing ventilators for adults, some of which are in disrepair or already in use, 60 Intensive Care Unit hospital beds, and 700 units of Personal Protective Equipment. The occupying Power has provided Gaza with only 200 testing kits, and the United Nations has supplied another 1,000.

Palestinians in Gaza already face dire humanitarian and socio-economic conditions, with the 13-year Israeli blockade, compounded by Israel's repeated military aggressions, having undermined all aspects of life for Gaza's two million inhabitants. These conditions have led to extreme poverty, with more than half of the population living under the poverty threshold; an unemployment rate reaching near 70% among young people; around 80% of the population dependent on some form of humanitarian aid; widespread food insecurity, with 10% of children having stunted growth due to malnutrition; the contamination of 97% of Gaza's water supply; the collapse of essential services, including a regular electricity supply; and the crippling of the healthcare system, which has long faced acute shortages of medicine, equipment, cleaning materials, doctors and professional training.

This has been attested by UN Special Rapporteur for the situation of human rights in the Palestinian Territory occupied since 1967, Mr. Michael Lynk, who recently stated: *“I am particularly worried about the potential impact of COVID-19 on Gaza. Its health care system was collapsing even before the pandemic. Its stocks of essential drugs are chronically low. Its natural sources of drinkable water are largely contaminated. Its electrical system provides sporadic power. Deep poverty amid appalling socio-economic conditions is prevalent throughout the Strip... A potential large-scale outbreak will also constitute another enormous strain on Gaza's beleaguered health workers who have had to respond, with inadequate resources, to three large-scale military offensives in just over a decade and have had to treat thousands of casualties from the ‘Great March of Return’ protests.”*

The particular difficulties of containing COVID-19 in Gaza are compounded in Gaza's eight refugee camps. While Gaza has one of the highest population densities in the world, rendering social distancing nearly impossible, the density in the refugee camps is even higher, making them even more at risk for spread of the virus. Moreover, as most of Gaza's water supply is contaminated, basic sanitation and hygiene practices like washing hands and disinfecting shared surfaces are ineffective in the majority of cases. As stated by a group of 11 UN Special Procedures mandate holders on 23 March, *“COVID-19 will not be stopped without providing safe water to people living in vulnerability.”* Also, as most of Gaza's population is unemployed, those who are employed feel that they cannot afford to stop working, as their families are dependent on their generally meager incomes.

As stated by UN humanitarian coordinator for the occupied Palestinian territory, Mr. Jamie McGoldrick, in reference to the situation of the health system in Gaza, *“there is only so much you can stretch a system before it snaps”* and *“this could be a tipping point”*. According to the WHO representative in Gaza, Gaza is only prepared to handle the first hundred cases of the virus; *“After that, it will need further support.”* If even developed countries are finding it extremely challenging to confront the virus, how then can Gaza be expected to cope? The conditions in Gaza could quickly turn life-threatening in a situation of pandemic, endangering millions of lives. Such a horrific outcome must be averted.

Averting such a frightening scenario requires international solidarity and support. It is urgent that the international community recognize that the Gaza Strip – which the UN long ago determined would be unlivable by 2020 under its current conditions – is even more endangered in this time of global health crisis. More than ever, States must step up to their responsibilities and finally bring an end to the Israeli blockade of Gaza, a man-made disaster that can and must be reversed, and ensure the necessary humanitarian support.

In the meantime, we are grateful for the assistance being extended to the Palestinian people from across the globe. This includes in particular the vital assistance being provided through UNRWA, OCHA, UNICEF, WHO, WFP and other UN agencies and organizations on the ground. As called for by numerous Security Council members following the 31 March briefing by UN Special Coordinator Nikolay Mladenov, we appeal to the international community to heed the calls for support by those agencies and others to meet the Palestinian people’s urgent need for humanitarian aid. As emphasized by the Secretary-General in his report on the Socio-Economic Impacts of COVID-19, the global response to the pandemic *“must be multilateral, with countries showing solidarity to the most vulnerable communities and nations”*.

The international community, including the Security Council, must join together to do everything possible to protect everyone in the world from this pandemic – and this must include the Palestinian people, who must not be left behind. Indeed, while it is important to recognize, encourage and support Israeli-Palestinian cooperation to confront this pandemic, it is even more imperative to remind Israel of its obligations as the occupying Power under international law and to demand its compliance. We must all act to uphold international law and the rules-based order and insist on respect without exceptions.

In this regard, in line with the call made by the Secretary-General on 23 March for a “global cease-fire”, all must call for Israel to “silence the guns; stop the artillery; end the airstrikes” against the defenseless Palestinian civilian population; “help create the corridors for life-saving aid”, and “end the sickness of war”, including by ending its colonization of Palestinian land and lifting the blockade it has inhumanely imposed on Gaza and releasing all Palestinian prisoners in its jails, starting with the most vulnerable.

It is time to bring this illegal occupation to an end. Should Israel continue rejecting the calls to respect the law, choosing instead to carry on with its illegal policies and measures in the Occupied Palestinian Territory, including East Jerusalem, violating the human rights of the Palestinian people, including to self-determination, and undermining their efforts to protect themselves from the global pandemic, it must be held accountable to the full extent of the law. This is vital for salvaging the prospects for peace, but equally vital for saving human lives.

This letter is in follow-up to our 683 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 13 March 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human

rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter made available to the members of the Security Council for their immediate, valuable consideration and also distributed as an official document of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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## 15 April 2020 – Escalating Israeli violations – Threats of annexation

15 APRIL 2020 BY PALESTINE AT THE UN

Excellency,

As the situation in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate, I am compelled to write in follow-up to the critical concerns raised in our recent letters about the human rights violations and crimes being perpetrated by Israel, the occupying Power, against the Palestinian people, even amidst the COVID-19 pandemic.

As the public health emergency persists in Palestine, with 369 confirmed cases (291 in the West Bank, 78 in East Jerusalem, and 13 in the Gaza Strip) and 2 deaths as of 15 April, Israel continues to cynically exploit the international community's focus on the life and death circumstances imposed by the COVID-19 pandemic, to entrench its illegal occupation, advance annexation, and escalate its repression of Palestinians. It is estimated that, in one month alone from 5 March to 5 April, Israel demolished or confiscated 47 Palestinian structures, conducted 267 arrests and 238 raids, killed 3 Palestinians and injured another 52.

In the West Bank, including East Jerusalem, Israel's land grab and settlement and Wall construction continue unabated, as do provocative calls for annexation. In fact, annexation plans have become the centerpiece of negotiations to form the next Israeli government. Some, like former Minister Ayelet Shaked have gone so far as to declare that, *"The government that is being formed has no right to exist unless it applies sovereignty over Judea and Samaria and the Jordan Valley"*.

This proves yet again that those in Israel's political establishment, regardless of political leanings, do not differ in their pursuit of permanent colonization, annexation, and apartheid-like policies. Moreover, this reconfirms that Israel has abandoned all pretense of commitment to the internationally agreed solution of two States on the basis of international law and relevant United Nations resolutions. Clearly, for Israel, the peace process was always a short-term tactic, never a long-term strategy.

We are grateful for the strong statements recently that issued from countries around the world, including Arab and European States, reaffirming their firm opposition to Israeli annexation of Occupied Palestinian Territory. We recognize as well the opposition by members of the US Congress who expressed concern about reports Israel intends to move forward with unilateral annexation of Palestinian territory, and emphasized that *"This runs counter to decades of bipartisan U.S. foreign policy and to the will of the House of Representatives as recently expressed in H.Res.326, which*



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*opposes unilateral annexation and explicitly warns against the dangers of such an effort for peace in the region and Israel's security."*

We reiterate, however, that statements alone about the threat to peace and about international obligations will not avert the looming destruction of the two-State solution and peace prospects. Serious, deterrent action is required to stop Israeli actions and plans. The international community must act to hold Israel accountable for its illegal actions and perverse impunity before the two-State solution is permanently undercut, perpetuating the conflict and the immense human suffering it is causing.

In this regard, extremist Israeli settlers, emboldened by the specter of imminent annexation since the presentation of the US administration's "plan" for the Israeli-Palestinian conflict, have intensified attacks against Palestinians. According to a UN report, between March 17 and 30, the number of attacks reflects *"a 78% increase compared to the bi-weekly average of incidents since the start of 2020."* In addition to physical assaults on civilians, the stoning and torching of vehicles, the uprooting of olive trees and crops, and the unleashing of dogs on Palestinian herders, settlers have also flooded sewage into Palestinian farms near the town of Beit Ummar, and vandalized tombstones in the village of Burqa. The aim of such violence and terror is clear: intimidating Palestinians and pressuring them to leave their lands.

In addition to these deplorable developments, while governments around the world work tirelessly to limit the spread of COVID-19 in their countries, Israel continues to undermine Palestine's efforts in this regard. While coordination efforts continue in this regard, the occupying Power has simultaneously obstructed Palestinian efforts to ensure the orderly return and health testing of workers from Israel, disinfect neighborhoods, raise awareness, and provide assistance to families financially affected by the virus. Below are just a few examples of Israeli actions in the recent period:

On 3 April, Israeli forces stormed the home of Palestinian Minister of Jerusalem Affairs, Fadi Al-Hidmi, physically assaulting him, confiscating around \$2,750 directly from him, forcing him to wear a dirty, bloody mask, and then detaining him. This outrageous act was carried out as punishment for the Palestinian government's efforts to provide Palestinian residents of East Jerusalem with assistance and healthcare, a human and moral prerogative; especially as the occupying Power has deliberately neglected its obligations to carry out vigorous testing of the Palestinian population under its illegal control in and around the City. Two days later, undeterred by condemnations of its actions, Israel arrested the Palestinian Governor of Jerusalem, Adnan Ghaith, after storming his house in Silwan.

Since 6 March, when a state of emergency was imposed in Palestine to control the outbreak of the COVID-19 virus, Israeli forces have carried out more than 207 military incursions across the West Bank, including East Jerusalem. Such actions are directly undermining Palestinian containment efforts. Moreover, on 6 April, in an appalling attempt to spread fear and panic among Palestinian civilians, Israeli soldiers spat on doorsteps, cars and homes of residents of the village of Beit Ummar, and dumped contaminated trash, needles and used gloves between village homes. Also, despite the risks that Palestinian workers returning from Israel are bringing the virus to their hometowns – estimated to be the cause of at least one-third of confirmed coronavirus cases in the West Bank – and despite directives by the Palestinian Ministry of Health that all Palestinians returning from Israel must undergo testing before being quarantined, the occupying Power opened several wastewater tunnels near the city of Qalqilya to smuggle Palestinian workers back into the West Bank without testing or proper health precautions.

Such reckless and negligent behavior of the occupation authorities is similarly witnessed in Israeli prisons. At a time when the UN High Commissioner for Human Rights is appealing to governments to *"examine ways to release those particularly vulnerable to the pandemic,"* including *"those detained without*

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sufficient legal basis, political prisoners and others detained simply for expressing critical or dissenting views", and the UN Secretary-General's Envoys to the Middle East are jointly calling for "special attention to the plight of the detained", Israel is continuing its arrest and detention campaign in the Occupied Palestinian Territory, including East Jerusalem.

In the month of March, Israel arrested 250 Palestinians, including 54 children and 6 women and girls. It has likewise refused to take measures to improve the provision of healthcare and hygiene for Palestinian prisoners and detainees in line with WHO guidance for preventing COVID-19 outbreak in prisons, in addition to refusing to sterilise detention facilities. Instead, despite the fact that two Israeli prison officers and a recently released Palestinian prisoner tested positive for the virus, Israel continues denying prisoners access to adequate soap and hygiene materials, heightening risk of contagion.

As stressed in a statement issued on 8 April by the Organization of Islamic Cooperation's Independent Permanent Human Rights Commission, "in view of the global health emergency, precarious hygienic conditions and inadequate health services, overcrowded Israeli prisons constitute perfect conditions for catastrophic spread of pandemic, putting lives of inmates at grave risk and creating environment for major unrest in the prisons." We reiterate our call upon Israel to release the Palestinian civilians it is imprisoning, starting with the most vulnerable, among them older and infirm Palestinian detainees, women and children, in accordance with international law.

Israel, as occupying Power, is under legal obligation to ensure the physical and mental health and well-being of Palestinian prisoners and detainees. Article 10 of the International Covenant on Civil and Political Rights, mandates that "[a]ll persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person." Moreover, the UN Basic Principles for the Treatment of Prisoners (Nelson Mandela Rules) stipulate that, "Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation."

In the Gaza Strip, where two million Palestinians, most of them refugees, have been forced to live under appalling conditions as a result of Israel's 13-year blockade and repeated military aggressions, the situation remains precarious and risks are enormous. Gaza is densely populated; its water resources largely contaminated; its population mostly unemployed and living below the poverty threshold; its healthcare system severely weakened and overstretched, with 80-90% of its few ventilators are already in use; its electricity supply sporadic; and its coping capacities already exhausted.

Based on epidemiologic estimates and given the near-impossibility of effective sanitation practices and physical distancing in Gaza, if the virus spreads, approximately 80% of Gaza's population could become infected, necessitating at least 100,000 hospital beds would be needed, when there are only about 2,500 at present, of them only 120 ICU beds. Moreover, the needed hygiene kits, ventilators, drugs and other essential medical supplies are largely unavailable to the population. As stated by Gaza's UNRWA director, Mr. Matthias Schmale, an outbreak would be "a disaster of gigantic proportions".

While the Palestinian Government along with the support of the WHO, UNRWA, OCHA and other UN partner agencies are working diligently to quarantine, prepare for and avoid a worst-case scenario, as the occupying Power, Israel bears ultimate responsibility for the inhumane conditions in Gaza. As per its Fourth Geneva Convention obligations, Israel must, at the very minimum, allow humanitarian access and the needed medical supplies to enter Gaza. It must suspend the requirement for transit permits for those who require hospitalization outside Gaza. It must also facilitate the entry of medical personnel willing to volunteer their services, and develop a plan for treating Palestinians from Gaza who need urgent medical attention in Israel.

As stated by the Secretary-General in his remarks to the Security Council on 9 April, two of the priority actions where further action is needed are:

*“ensuring humanitarian access and opening corridors for the safe and timely movement of goods and personnel” and “protecting the most vulnerable populations and those least able to protect themselves.”* Moreover, he reminded that *“international humanitarian, human rights and refugee law continue to apply, even—and especially—in challenging times like these.”*

Also, on 11 April, in a joint appeal, the UN Secretary-General's Envoys to the Middle East also underscored the need to facilitate humanitarian access and assistance including to refugees and *“communities under siege”*.

Yet humanitarian measures alone are insufficient. Fulfilling its legal obligations requires that Israel act forthwith to end its illegal occupation, including the full lifting of its blockade on Gaza. As long as Israel refuses to abide by its obligations, it becomes the responsibility of all States to adopt effective measures to uphold international law and ensure accountability, as well as to protect the Palestinian civilian population under Israeli occupation, and alleviate the human suffering and insecurity caused by this situation, *inter alia*, by providing humanitarian support.

As stated by the Foreign Minister of Norway, Chair of the Ad Hoc Liaison Committee (AHLC), in light of the great risks posed by the pandemic, *“We need to work together to prevent this from being a bigger humanitarian and health disaster than we think it can be, especially in Gaza, but also in the West Bank.”* In this regard, we reaffirm our gratitude for the humanitarian support being extended to the Palestinian people. We thank AHLC Chair for consulting with the international donor community on how to best coordinate the efforts to counter spread of the virus in Palestine and mitigate its impact on the extremely fragile Palestinian economy. We appeal for and welcome increased or accelerated international donor support, including to UNRWA, which requires funds both for its emergency COVID-19 appeal but also, critically, for continuation of its core operations, including provision of education and health services as well as food assistance.

Estimates that UNRWA's budget for core capacities will be depleted by end of May are deeply worrying. We urge the necessary support to ensure the continuity of UNRWA services as per its General Assembly mandate in order to ensure the well-being of the Palestine refugees and regional stability, including in this time of global crisis. Further, as underscored by the UN Special Coordinator Nickolay Mladenov in his statement on 12 April, *“The Palestinian Government will also require generous external support and technical assistance that is targeted directly to the recovery process”*, support that is urgent in light of the fiscal deficits already affecting the Government.

It is our deep hope that such global cooperation and solidarity will be forthcoming and accompanied by concrete measures by the international community to uphold international law and compel Israel to end its violations and end illegal occupation, deprivation and denial of the rights of the Palestinian people, including to self-determination and freedom. This is a time to act to save human lives, but it is also a time to stop conflict, stop human rights violations, and work together for a just peace.

This letter is in follow-up to our 684 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 April 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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## 29 April 2020 – Letter by Ambassador Dr. Riyad Mansour to the President of the Security Council

29 APRIL 2020 BY PALESTINE AT THE UN

Excellency,

During the recent VTC meeting of the United Nations Security Council on the Situation in the Middle East, including the Palestinian Question, held on 23 April, the Israeli Representative once again accused me of antisemitism. This accusation is too grave, even when used in such outrageous and untruthful manner, to be left unanswered.

Such accusations have been repeatedly used to **taint** legitimate criticism of Israel's violations of international law in the Occupied Palestinian Territory with the aim to silence or delegitimize anyone speaking out and must be directly challenged. This has become a systematic policy that has even targeted Security Council members, the Prosecutor of the International Criminal Court, as well as international figures, who – in upholding their moral, legal, political and/or humanitarian obligations – dare to denounce Israel's violations of the Palestinian people's rights and its colonization of their land.

Israel has blatantly dismissed resolutions adopted by the Security Council and the General Assembly, the advisory opinion of the International Court of Justice, and statements, including by its closest allies, as stemming from antisemitism instead of acknowledging that such legislations, decisions and declarations reflect on facts and are grounded in the rules that were created to save successive generations from the scourge of war by preventing and deterring violations, regardless of the identity of the victim and of the identity of the perpetrator.

Antisemitism is one of the most despicable forms of racism, that has culminated in one of the greatest tragedies of our time. Our multilateral rules-based order has been established in response to the horrors of the Second World War, including the Holocaust. The UN Charter, the Universal Declaration of Human Rights, the Geneva Conventions, the International Court of Justice, international criminal law, all were designed in response to these tragedies and to prevent their recurrence and the human suffering and turmoil they caused.

We honor the victims by upholding the rule of international law, not undermining it. We honor them by denouncing war crimes, not by using their memory to shield perpetrators. We honor them by ensuring accountability, not by perpetuating impunity.

Antisemitism and all other forms of discrimination and racism must be condemned and confronted wholeheartedly, never justified or overlooked. We



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all need to fight antisemitism while rejecting the instrumentalization of the accusation of antisemitism to shield illegal actions from criticism and accountability.

We pay tribute to all those, from every creed, race, color, and background who have fought for justice anywhere and everywhere, including in Palestine. We will remain steadfast in our struggle against the ills of oppression, occupation, dispossession, discrimination and injustice and will not be silenced by those who accuse us in a failed attempt to justify the crimes they are responsible for. Let them know that when it comes to our stance for justice, we stand undeterred.

History has taught us what it means to live in a world without rules. What it means to be able to allow anyone to justify widespread and systematic denial of rights. What it means to look away when others are suffering from injustice and oppression. The representatives here at the UN have a particular duty to uphold that collective memory so that the words of our UN Charter can live on, including our determination "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small".

I have dedicated my life to the fight for justice, equality and freedom for the Palestinian people and beyond and to the fulfilment of that very pledge of the Charter. I have fought racism in all its ugly forms. I have served this multilateral rules-based order with commitment and principle. I doubt that my accuser can say the same.

I should be grateful if you would arrange to have the text of the present letter made available to the members of the Security Council for their immediate, valuable consideration and also distributed as an official document of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour  
Minister, Permanent Observer  
of the State of Palestine to the United Nations

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## 13 May 2020 – Impending annexation and escalating Israeli violations

13 MAY 2020 BY PALESTINE AT THE UN

Excellency,

As the situation in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate, I am compelled to write in follow-up of our recent letters regarding the crimes being perpetrated by Israel, the occupying Power, against the Palestinian people, even in this time of the COVID-19 pandemic. This includes illegal colonization and annexation measures that risk destroying the two-State solution on the pre-1967 borders.

Since our last letter, not a day has passed where Israel has not cynically exploited the COVID-19 crisis, globally and locally, to forge ahead with its annexationist plans and in full coordination with the current US administration. Israeli officials have escalated inflammatory rhetoric boasting of such illegal intentions, in total contempt of international law and the appeals and warnings of the international community, human rights and civil society organizations, and leaders of conscience worldwide.

On 20 April, Israeli Prime Minister Benjamin Netanyahu and his rival Benny Gantz signed a coalition agreement according to which, starting 1 July, the parliament would be able to decide on the annexation of parts of the West Bank based on the US plan presented on 28 January. While Israel described this coalition agreement as the formation of a “national emergency government” aimed at fighting the pandemic, the reality is that this is an “annexation government”, formed with the cynical intention of perpetuating the permanent colonization of Palestinian land, in breach of the UN Charter and all other relevant provisions of international law, and in flagrant violation of UN Security Council resolutions, including resolution 2334 (2016).

US support for annexation has emboldened Israeli impunity and “*provided the Israeli government with a green light to annex all West Bank settlements and the Jordan Valley and maintain its occupation in perpetuity, making a sovereign, independent and contiguous Palestinian state impossible*,” as stressed in a recent letter by 32 US foreign policy professionals, including former national security officials. The permissive US attitude was reinforced on 22 April, when Secretary of State Mike Pompeo stated that annexation is “*an Israeli decision to make*”, as though grave breaches of international law are States’ exclusive “decisions” and no international norms guide and regulate the conduct of international relations. This was followed, on 6 May, by US Ambassador to Israel David Friedman, who is leading the joint US-Israel “committee” to “map out” areas of Palestinian land for illegal annexation, stating that the US is “*ready*” to recognize Israeli annexation of 30% of the occupied West Bank.



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If allowed to proceed, these unlawful, unilateral plans will spell the demise of the two-State solution to the conflict and result in a one-State apartheid reality, with far-reaching consequences. This is not only Palestine’s view, but is shared by countless politicians, academics, public figures and civil society actors, who have recently reflected on the matter. Below are just a few examples in this regard:

*“Israeli officials have repeatedly stated their intention to annex Israeli settlements and other parts of the occupied West Bank. If implemented, such steps would not only constitute a serious violation of international law, but they would also effectively end the prospect of the two-State solution and close the door to negotiations between Israelis and Palestinians.”* – UN Secretary-General Antonio Guterres (March 2020 report on resolution 2334 (2016))

*“Annexation would mean a fatal blow to the possibility of peace and the establishment of an Apartheid State. Democracy, equality and social justice all depend on a just peace and an end to the occupation.”* – 56 former Members of the Israeli Knesset (17 April)

*“The dangerous prospect of annexation by Israel of parts of the occupied West Bank is a growing threat. If such a move were implemented, it would constitute a serious violation of international law, deal a devastating blow to the two-state solution, close the door to a renewal of negotiations, and threaten efforts to advance regional peace. Moves to annex land and to accelerate settlement expansion, combined with the devastating impact of COVID-19 can ignite the situation and destroy any hope of peace.”* - Special Coordinator for the Middle East Peace Process Nickolay Mladenov (in his briefing to the Security Council on 23 April)

*“The coming annexation will pull the rug from under the argument, currently prevalent in many circles, that while Apartheid, or at least an Apartheid-like regime, is currently practiced in the West Bank, the sovereign State of Israel is a democracy.”* – Israeli NGO Yesh Din (Position Paper, April)

*“A situation where Jewish communities in the West Bank live under Israeli civilian law, while neighbouring Palestinians live under Israeli military law, would inevitably prompt parallels with historical repressive and discriminatory regimes, including apartheid South Africa.”* – The Elders (1 May)

Such a move would strip away the essence and objective of existing agreements between the Palestinian and Israeli governments, which are based on the realization of a viable two-State solution, a just peace and lasting security. As Israel destroys the possibility of achieving such a vision, the Palestinian leadership cannot be expected to uphold these agreements.

In addition to its devastating effects on the Palestinian people’s human rights and national aspirations and rights, Israel’s planned annexation would pose a severe threat to regional peace and the rules-based international order. Acquisition of territory by force is prohibited with no derogation permitted. If it goes unchallenged in the case of Israel, then the very core and relevance of international law to global peace and security will be at risk, sending a stark message that violators of the law, even war criminals, can do so at will without any consequences.

Here we echo the warnings by former UN Secretary-General, Deputy Chair of the Elders, Ban Ki-Moon: *“The principles of international law are the bedrock of our global order. They provide a framework for defending rights and exercising power that is crucial to all global challenges. Israeli annexation of parts of the West Bank would not only be an act of aggressive folly, it would have a destructive influence on global rights and norms. I call on the whole world to speak out against this damaging agenda.”*

In this regard, we recognize the many strong statements issued from all over the world – by Arab, European, African, Asian and Latin American States and organizations, as well as by Special Envoys of concerned States and by the

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UN – condemning and warning against Israeli annexation. These statements reflect a global and principled commitment to the standing and universal application of international law. They also reaffirm commitment and support for the inalienable rights of the Palestinian people to freedom, sovereignty, and peace, as enshrined in the United Nations Charter and relevant United Nations resolutions, including 2334 (2016), 242 (1967) and 338 (1973) among many others.

The Palestinian people and leadership are grateful for these principled positions, which are firmly anchored in our shared values of human rights and peace and security for all. But the years have proven that Israel has no regard for such principles, and that statements alone will not compel its respect for the law or avert its destruction of peace prospects as annexation unfolds on the ground at this time. Such impunity will persist should the political will to enact measures of accountability remain lacking.

As stated by Special Rapporteur Michael Lynk, *“The looming annexation is a political litmus test for the international community. This annexation will not be reversed through rebukes, nor will the 53-year-old occupation die of old age... the international community should review its extensive menu of sanctions and countermeasures to stem this march towards further illegality. Settlement products should not enter the international marketplace. Agreements, existing and proposed, with Israel should be reviewed. The current investigations at the International Criminal Court should be supported. There has to be a cost to the defiance of international law. Only this can compel the Israeli political leadership to do the right thing.”*

Other figures who have recognized the need for sanctions to deter annexation include 127 British politicians – former cabinet members, ministers and diplomats – who stated in a letter published on 1 May: *“The government must now make clear publicly to Israel that any annexation will have severe consequences including sanctions. Words are not enough: Prime Minister Netanyahu has ignored our words. We need to prevent his government from setting this alarmingly dangerous precedent in international relations.”*

On 7 May, a group of former Israeli officials also called upon the Government of Ireland to approve a draft bill that would ban settlement products from entering the Irish market, underscoring that: *“Needless to say, unilateral annexation will lead to escalating crises in Palestine, Jordan, and the entire region, and runs the risk of turning Israel into an apartheid state... We firmly believe that now is the time for action from the international community to prevent Israel from proceeding with annexation, which will doom generations to come to more oppression, injustice and violence.”*

If principled voices from around the world, including Israelis, are brave enough to oppose annexation call for sanctions, how can the international community perceive concrete action as anything but an imperative in the interest of both Palestinians and Israelis and the preservation of peace prospects?

We urge that principled positions be backed by proactive, concrete steps to hold Israel accountable and deter further Israeli crimes, especially in view of the impending annexation, and to safeguard the rights of the Palestinian people. As stated by former Algerian Foreign Minister, UN diplomat and Elder Lakhdar Brahimi, *“The world has overlooked its responsibility to the people of Palestine for too many decades. Silence now would be a bitter betrayal, and is certain to have dire consequences for all concerned.”*

All States are obligated to ensure respect for peremptory norms of international law. The international community must not withhold action until it is too late and Israel deals the final blow to the chance for a just peace. It can and should immediately leverage its collective influence to chart a new and credible multilateral political, legal, and economic approach that stops Israel's illegal, reckless actions from condemning Palestinians, Israelis and entire region to perpetual conflict. Accountability measures, including preventive



action, must be urgently pursued denying Israel additional time to carry out its extraterritorial agenda.

We must also draw attention to the many other crimes and violations being perpetrated by the occupying Power violations in the Occupied Palestinian Territory, including East Jerusalem, including its construction of settlements particularly in areas slated for annexation; its immoral and illegal blockade of the Gaza Strip; its detention of thousands of Palestinians, including children, and countless other human rights violations. Below are just a few examples of recent Israeli illegal policies and actions:

On 21 April, Israel announced the confiscation of Islamic Waqf land belonging to the Ibrahimi Mosque in Al-Khalil (Hebron) to construct a road for illegal settlers to reach the mosque area, a provocative action, violating international law and signed agreements and stoking religious sensitivities. This violation also reflects the occupying Power's abject disregard of the status of Al-Khalil's Old City as a World Heritage Site that must be protected from all acts of aggression, alteration and destruction.

On 6 May, Israel revealed plans for yet another war crime – the confiscation of 1,000 square kilometers of Palestinian land to construct 7,000 more illegal units in the so-called "Efrat" settlement in the Bethlehem district south of Jerusalem, in a move clearly intended to 'prepare the ground' for annexation, as reflected in the provocative statements of Israeli officials regarding this decision.

Meanwhile, Israel persists with its destruction of Palestinian property, including homes, animal shelters, and water, sanitation and hygiene facilities. According to UN OCHA, Israel has demolished 69 structures in the West Bank, including East Jerusalem, since 21 February, forcibly displacing 63 people and affecting 417 others. A third of the destroyed or seized structures consisted of humanitarian aid provided by the donor community. One of the affected Palestinian villages, Qarawat Bani Hassan, received 22 demolition and stop-work orders on 30 April alone, with the clear intent of forcibly displacing civilians to enable expansion and entrenchment of five surrounding settlements.

Settler violence targeting Palestinian communities has surged by over 80% since March. Israeli settlers have attacked Palestinians with firearms or with clubs, axes, stones, assault dogs, and electroshock weapons; torched cars; vandalized and uprooted olive trees; and stolen livestock—all under the consenting eye or with the active participation of Israeli occupation forces. As stated by Israeli NGO B'tselem, *"These actions are part of a joint strategy by the settlers and Israeli authorities to systematically block Palestinian access to land – one acre, field, fertile plot, grove or pasture at a time – for decades on end, and take effective control of it. This way the state transfers the means of livelihood of Palestinians into the hands of Israelis. Settler violence is the state's unofficial, privatized arm that serves to gradually achieve this goal."*

On 11 May, Israel extended a closure order it had issued on 20 November 2019 to censor the work of Palestine Television's office in Occupied East Jerusalem for a further six months. This blatant infringement on the right to freedom of expression and of the press is aimed at silencing Palestinian media, and constitutes yet another attempt by the occupying Power to ban any event or activity organized by or in coordination with the Palestinian Authority in Occupied East Jerusalem. Under the same pretext, on 15 April, Israel arrested four volunteers who worked at, and shut down, a coronavirus testing clinic in the East Jerusalem neighborhood of Silwan, where healthcare needs have been cruelly neglected by the occupation, leading to Silwan harboring almost half of the known COVID-19 cases in Jerusalem.

Israel has also continued arresting Palestinian civilians and its cruel, illegal policies against the 5,000 Palestinians being held captive in its jails. On 22 April, Palestinian prisoner Jaber Al-Barghouthi, age 23, died in the Israeli Negev prison after occupation forces failed to provide him with medical aid.

He is the 273<sup>rd</sup> Palestinian to have died in an Israeli prison since the occupation began in 1967. A group of concerned UN human rights experts issued a call on 24 April urging Israel, which released approximately 500 Israeli inmates from its jails to protect them from a possible virus outbreak, *“not to discriminate against thousands of Palestinian prisoners facing high-risk exposure to COVID-19 and to release the most vulnerable – particularly women, children, older persons and those with pre-existing medical conditions.”*

The 194 Palestinian children being held in Israeli prisons are especially vulnerable. As stressed in the statement of 11 May by UN officials: *“since the start of the COVID-19 crisis in Israel, legal proceedings are on hold, almost all prison visits are cancelled, and children are denied in-person access to their families and their lawyers. This creates additional hardship, psychological suffering, and prevents the child from receiving the legal advice to which they are entitled...The best way to uphold the rights of detained children amidst a dangerous pandemic, in any country, is to release them from detention and to put a moratorium on new admissions into detention facilities.”*

International law is the key to ending these human rights violations, ending the colonization and annexation of the Palestinian land, and ending this illegal 53-year occupation. With the threat of annexation looming, it is high time for the international community to use all means available to it to uphold international law and implement UN resolutions and to demonstrate to the Palestinian people that they are not alone in the struggle for their rights, for freedom, for justice and for peace.

This letter is in follow-up to our 686 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 15 April 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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## 4 June 2020 – Escalating Israeli aggression against Palestinian civilians and looming annexation

04 JUNE 2020 BY PALESTINE AT THE UN

Excellency,

As we somberly commemorate the passage of 53 years since the onset of Israel's occupation of Palestinian and Arab territories in 1967, I must write once again to draw the international community's attention to the ongoing protection crisis and deterioration of conditions as Israel, the occupying Power, continues its depraved dehumanization of the Palestinian people and colonization of Palestinian land.

Since our last letter, Israeli occupation forces have murdered five Palestinian civilians, bringing to at least 22 the number of Palestinians, including children, killed since January in such senseless acts of violence.

On 13 May, Israeli soldiers raided Al-Fawwar refugee camp near Al-Khalil (Hebron) and shot dead Palestinian teenager Zaid Qaisiya, 17, while he stood with relatives on the rooftop of a building observing clashes on the street below. Zaid was shot in the head with live ammunition and four other Palestinians also sustained gunshots, including a 16-year-old boy who was shot in the thigh, breaking his leg.

On 14 May, Bahaeddin al-Awawda, 18, was shot dead by Israeli occupation forces outside the town of Beit Awwa in the vicinity of Al-Khalil. This was followed on 29 May by the killing of Fadi Samara Qaad, 37, a Palestinian who was on a motorcycle on his way to pick up his wife.

On 21 May, a 4-year old girl, Rafif Qara'een, was shot in the head by a stray M-16 bullet as she sat to break Ramadan fast with her family in their home in the Issawiya neighborhood of Occupied East Jerusalem, often the scene of incursions by the occupation forces, and tragically died of her wounds.

On 30 May, Iyad Hallak, 32, an autistic Palestinian man from East Jerusalem, was on his way to the special education school he attended and worked at near the Lion's Gate, when Israeli police officers shot and killed him, firing 8 bullets into his body. Iyad, who was diagnosed as being on the low-functioning end of the autism spectrum and who had trouble communicating with those around him, *"didn't even know there was such a thing as Jews and Arabs in this country,"* according to his cousin. *"He didn't know what a policeman is. He didn't absorb such things; he didn't have the knowledge that there even was another side. He didn't know what a soldier is or what a weapon is. He saw a stranger and fled, and then they shot him."*

The above are not isolated incidents – far from it. Israeli occupying forces have systematically brutalized defenseless Palestinian civilians, with



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extrajudicial killings amounting to war crimes having become an abhorrent habit. As found by Defense for Children International Palestine, “Israeli forces routinely shoot Palestinian children who pose no imminent threat with live ammunition.” Such disregard for human life is institutionalized and widespread. Since 2000, Israeli forces or settlers have killed at least 2,116 Palestinian children. In 2019 alone, Israel killed 133 Palestinians, including 28 children.

In addition to these killings, the occupying Power has continued its routine violence against Palestinian civilians, including shooting a Palestinian man with Down Syndrome during a raid on Nabi Saleh village on 29 May; forcing the family of an elderly Palestinian woman who uses a wheelchair to demolish the home they had built in East Jerusalem to accommodate her disability; and assaulting Palestinian worshippers as they performed Eid prayers at the Lion’s Gate in Jerusalem on 24 May.

These are just a few examples of the constant harassment, intimidation and gross human rights violations being perpetrated by this illegal and cruel occupation. It is not a coincidence that the escalation of Israeli crimes against Palestinian civilians is happening in parallel with measures being taken on the ground by Israel to implement its annexation plan. That plan that would entail annexing large parts of the occupied West Bank, including the Jordan Valley and land on which it has illegally established its settlements and wall, all in grave breach of international law, including the Charter of the United Nations, the Fourth Geneva Convention and numerous relevant Security Council and General Assembly resolutions.

Undeterred by the international community’s condemnation of annexation threats and calls for cessation, on 24 May the Israeli Prime Minister provocatively repeated that his 1 July deadline to proceed with formal annexation would not change. Against the backdrop of the permissive environment created by the US administration for Israeli violations, Prime Minister Netanyahu openly declared: Israel has “an opportunity we did not have since 1948” to annex Palestinian land in the West Bank and that “we will not let this opportunity pass by”.

Given these appalling circumstances, and the lack of concrete action to hold Israel accountable for its crimes, it should come as no surprise that land appropriation, home demolitions and other acts of colonial violence in the Occupied Palestinian Territory, including East Jerusalem, have been on the rise.

The Office for the Coordination of Humanitarian Affairs (OCHA) continues to report on demolitions of Palestinian property by Israeli occupying forces, including of homes. The escalation in demolitions, including of internationally-funded humanitarian structures, prompted European Union missions in Jerusalem and Ramallah to issue a statement on 28 May urging Israel “in line with the EU’s long-standing position on Israel’s settlement policy—illegal under international law—and actions taken in that context, such as forced transfers, evictions, demolitions and confiscation of homes” to halt demolitions.

In this regard, in addition to the destruction on 27 May of two tourist facilities in the Palestinian town of Sebastiya, which houses various historic sites including a Roman amphitheater, on 31 May, the occupying Power issued an order for the demolition of 200 structures, including restaurants, car repair shops and other facilities in the only Palestinian industrial area in Occupied East Jerusalem. These demolition orders are intended to clear the area for construction of an Israeli ‘tech area’ similar to ‘Silicon Valley’ and further illegally alter the City’s demographic composition and character.

Here we must again emphasize that Israel’s unilateral annexation plans, if allowed to proceed, will spell the demise of the two-State solution on the pre-1967 borders and result in a one-State apartheid system, with all of the attendant consequences of such a catastrophic scenario.

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As cautioned by the Coordinating Bureau of the Non-Aligned Movement (NAM) in its 15 May Communiqué on Israel's illegal annexation plans, *"if not averted, such plans will have far-reaching and devastating repercussions on the prospects for realizing the rights of the Palestinian people, including to self-determination and independence; the two-State solution on the pre-1967 borders; and just and lasting peace and security in accordance with the internationally-endorsed terms of reference and parameters for a peaceful solution based on the relevant UN resolutions, the Madrid principles, including the principle of land for peace, and the Arab Peace Initiative."*

This was echoed in the 20 May briefing to the Security Council by the UN Special Representative of the Secretary-General and Special Coordinator for the Middle East Peace Process, Nikolay Maldenov, who reiterated that *"the continuing threat of annexation by Israel of parts of the West Bank would constitute a most serious violation of international law, deal a devastating blow to the two-State solution, close the door to a renewal of negotiations, and threaten efforts to advance regional peace and our broader efforts to maintain international peace and security."*

Such warnings have been made by an overwhelming number of politicians, academics, think tanks, public figures and civil society actors, who have recently weighed in on this critical matter. Below are excerpts from just some recent statements in this regard:

On 14 May, the European Council for Foreign Relations warned that *"annexation— whether it starts with one settlement block or most of Area C — will cross a threshold which will be almost impossible to reverse back on. The full repercussions that such a move will trigger may be slow in coming, but they are real. This will challenge EU credibility and relevance. It will also undermine the fundamentals of the international rules-based order — in particular, the prohibition on the acquisition of territory through force. The formal demise of the Oslo-configured two-state peace process — which has been moribund for years — will also confront Israelis and Palestinians with a one-state reality in which Palestinians live under an increasingly explicit system of apartheid."*

On 22 May, 70 Italian parliamentarians called on their government to take action at the domestic and international levels against Israel's illegal plans to annex parts of the occupied West Bank, which, they warned *"would bury the Middle East peace process and the prospect of two peoples living side by side in two States in mutual peace and security."*

On 30 May, the New York Times Editorial Board published an article entitled "Annexing the West Bank is a Brazen Violation of International Law" in which it warned that *"the annexation would render the West Bank into a patchwork of simmering, unstable Bantustans, forever threatening a new intifada."*

On 2 June, 58 former Canadian diplomats and politicians published a letter calling on their government to stand firmly against Israel's annexation plans, stating that *"territorial conquest and annexation are notorious for contributing to fateful results: war, political instability, economic ruin, systematic discrimination and human suffering."*

It is tragic that the Palestinian people are facing this imminent annexation as they mark the 72<sup>nd</sup> year of the Palestinian *Nakba* and the 53<sup>rd</sup> year of Israel's occupation of the West Bank, including East Jerusalem, and the Gaza Strip. Israel's current annexation scheme brings into sharp focus the central objective and ultimate goal of its colonial occupation, beginning with the *Nakba* to the present day: usurping Palestinian land and resources while expelling or isolating as many Palestinians as possible. This intent has been expressed countless times by Israeli and Zionist leaders, and we must here remind the international community of the decades-long continuum of such provocative statements laden with colonial slurs:

*"We have forgotten that we have not come to an empty land to inherit it, but we have come to conquer a country from people inhabiting it, that governs it by the virtue of its language and savage culture."* Moshe Sharett, who later became second Prime Minister of Israel, 1914

*"After the formation of a large army in the wake of the establishment of the state, we will abolish partition and expand to the whole of Palestine."* David Ben Gurion, who later became first Prime Minister of Israel, to the Zionist Executive, 1937

*"Everybody has to move, run and grab as many [Palestinian] hilltops as they can to enlarge the settlements because everything we take now will stay ours... Everything we don't grab will go to them."* Ariel Sharon, in his former role as Foreign Minister of Israel, in comments broadcast on Israeli radio, November 1998

*"As you know we oppose the idea of a Palestinian state and we will fight with all our power against its establishment. As you know there is no such thing as Palestinian people so that there can be a Palestinian state. Not today, not tomorrow, not in this or that border, not by this name and not by other names..."* Israeli Minister Bazelel Smotrich, Facebook, 17 February 2020

It is astounding that, despite these blatantly unlawful objectives and decades of dispossession, displacement and oppression of the Palestinian people, not only has the international community failed to mobilize genuine political will to redress this unlawful situation – from its root causes to the crises of today – but has allowed the situation to further deteriorate, with regression of both conditions on the ground and the prospects for a just solution. This has allowed Israel to entrench its occupation and colonial regime with impunity, with disastrous impact on the lives of millions of Palestinians and prospects for peace and security.

The Israeli occupation was not inevitable, nor is its continuation. Had it not been for the shielding of Israel from accountability by some, the course of Palestine's history would have been different. Had Israel been treated like any other State – not a State above the law – accountable for its actions and penalized for its crimes, it would not have considered the idea of acquiring territory by force, let alone in broad daylight and with explicit statements to that end. Had it been treated as a State like all others, it would not have been allowed to continue expelling, besieging and killing Palestinian civilians, refusing the return of Palestine refugees, or inflicting institutionalized racism on the Palestinian population that it perceives as sub-human.

Israel will continue to act in this rogue manner and with absolute disregard for the law and Palestinian lives so long as it is exempted from legal and political accountability. The international community must realize that allowing such crimes to continue against the Palestinian people actually normalizes these crimes worldwide, undermining international norms and order and precluding peace and security. Beyond verbal censure, the international community must uphold its responsibilities and ensure respect for international law through concrete actions. Such action could include, *inter alia*, closing markets to Israeli settlement products, supporting the International Criminal Court in its consideration of the situation in Palestine, and imposing economic and diplomatic sanctions until the occupying Power abides by the law.

In this regard, we welcome the League of Arab States Ministerial resolution, NAM Communiqué, and the Organization of Islamic Cooperation (OIC) Declaration recently adopted and the clear affirmations and calls they have made. We also welcome the call by the Association of International Development Agencies (AIDA) on behalf of its 84 humanitarian, development and human rights member organizations, *"on third States, the EU, and its member States, to devise and publish an exhaustive list of countermeasures to adopt in order to disincentivise Israel's annexation policies in the occupied Palestinian territory to ensure the protection of Palestinian communities in the West Bank."* We also recognize the importance of the letter sent on 11 May by



51 anti-war groups to US presidential candidate Joe Biden, urging him to “use a combination of pressure and incentives, including leveraging the annual \$3.8 billion in U.S. military funding to Israel” towards an agreement that upholds UN Security Council Resolutions and international law towards ending “Israel’s military occupation; disbanding Israel’s illegal settlements in the West Bank and East Jerusalem; ending the Israeli military blockade of Gaza; and ending all attacks on civilians.”

We draw hope and strength from the constant messages of solidarity expressed by countries and peoples worldwide with Palestine’s cause for freedom, justice, return, as well as protection for the Palestinian people and accountability for Israel, including the publication of an open letter on 13 May by more than 500 international musicians, actors, film-makers and others, calling for an end to Israel’s siege of Gaza, and stating: “*What happens in Gaza is a test for the conscience of humanity. We back Amnesty International’s call on all world governments to impose a military embargo on Israel until it fully complies with its obligations under international law.*”

As our people continue to suffer this illegal occupation, we appeal again to the international community, including the Security Council, to speak up and take responsible action. We appeal to you to stand firmly in defense of the Charter and international law and in respect of the countless United Nations resolutions adopted on the Palestine question. On this somber 53<sup>rd</sup> anniversary of the occupation, we appeal to you to act with urgency to protect human rights; to salvage the prospects for a just peace based on the two-State solution that you have advocated for and championed across decades; and to preserve the international rules- based order that you have so painstakingly created and which is now under serious threat.

This letter is in follow-up to our 687 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 13 May 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter made available to the members of the Security Council for their immediate, valuable consideration and also distributed as an official document of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations

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## 24 July 2020 – Escalating Israeli violations in Occupied Palestine

24 JULY 2020 BY PALESTINE AT THE UN

As the situation in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate, I am compelled to write in follow-up of our recent letters regarding the crimes being perpetrated by Israel, the occupying Power, as it forges ahead with its expansionist policies in the West Bank, cementing its illegal occupation and escalating its aggression against the Palestinian people, their land and their rights.

That Israel “refrained” from formally annexing large parts of the West Bank on 1 July should not be cause for relief among the international community. As stressed by Mr. Daniel Levy, President of the US/Middle East Project, in his briefing to the Security Council on 21 July, *“Refraining from de jure annexation must of course carry no reward; avoidance of criminality is normative not prize-worthy”*.

It is clear the occupying Power has opted, for now, to go with its tried-and-tested colonization playbook and carry on with its incremental, yet persistent, confiscation and annexation of Palestinian land. The fact is that Israel’s decades-long colonization of the West Bank, including East Jerusalem, has been – and continues to be – implemented gradually, in “installments”, with the aim of mitigating, or even silencing, international pushback, even as the occupation gravely breaches international law and shreds the prospects for a two-State solution on the pre-1967 borders as envisaged by the international consensus.

Since the occupation began, successive Israeli governments have pursued a strategy aimed at appropriating as much Palestinian geography with as little Palestinian demography as possible through a two-pronged approach of settling the land while expelling Palestinian civilians. This remains the case, and will continue to be so, unless the international community responds with consequences for such illegal actions.

We reiterate that whether annexation is implemented partially or totally, gradually or in one fell swoop, *de facto* or *de jure*, the international community must stay alert and take serious, tangible action, in respect of international law and relevant UN resolutions, including Security Council resolution 2334 (2016).

Here it is imperative to recall that, already in 2004, the International Court of Justice warned that *“the construction of the wall and its associated régime create a ‘fait accompli’ on the ground that could well become permanent, in which case...it would be tantamount to a de facto annexation.”* This 9 July marked 16 years since that finding; yet the Wall has only expanded in size, as



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have Israel's illegal settlements in our land, which the Wall was clearly established to incorporate into Israel. This constitutes acquisition of territory by force, which is absolutely prohibited under international law.

In this period, Israel has continued to “prepare the ground” for annexation by escalating its settlement activities, destruction of Palestinian property, and forcible transfer of Palestinians residing in areas earmarked for annexation. On 6 July, Israeli occupying forces handed demolition orders against 30 Palestinian homes in the Issawiya neighborhood of East Jerusalem. On the same day, Israel announced plans to build 164 units in the so-called “Neve Daniel” settlement in southern Bethlehem. The occupying Power also continues its harassment and intimidation of Palestinian officials, including the Governor of Jerusalem, Mr. Adnan Ghaith, who has been repeatedly arrested since assuming his functions and remains detained as of this writing.

Acts of settler violence have also risen. This includes the case of settlers trespassing the land of a Palestinian farmer and digging it up to build a swimming pool for themselves and the seizure of yet another hilltop and establishment of yet another settlement “outpost” north of the city of Nablus on land privately owned by Palestinians from the nearby town of Asira al-Shamaliya. All of this is being done under the watch, and with the direct protection and assistance, of the Israeli occupying forces, as part of the systematic theft and colonization of Palestinian land.

The occupying Power also continues its attempt to erase Palestinian presence, culture and heritage through the illegal appropriation and theft of heritage sites, particularly in the Old City of Jerusalem, in Bethlehem, and in Al-Khalil (Hebron) at Al-Ibrahimi Mosque. This week witnessed the theft of baptismal font dating back to the Byzantine era from Bethlehem, adding to the long list of artifacts and heritage stolen by the occupation. Pillage is a war crime and Israel must be held accountable.

Awareness that Israel is forging ahead at full speed to destroy the two-State solution has led politicians, academics, think tanks, public figures, civil society actors, and people of conscience from around the world to warn about the dramatic consequences that the destruction of this solution would have. Below are excerpts of just some of the many recent statements in this regard:

On 29 June, **UN High Commissioner for Human Rights Michelle Bachelet** stated that *“any attempt to annex any part of the occupied Palestinian territory will not only seriously damage efforts to achieve lasting peace in the region, it is likely to entrench, perpetuate and further heighten serious human rights violations that have characterized the conflict for decades. I am deeply concerned that even the most minimalist form of annexation would lead to increased violence and loss of life, as walls are erected, security forces deployed and the two populations brought into closer proximity. The existing two-tier system of law in the same territory will become embedded, with devastating impacts on the lives of Palestinians who have little or no access to legal remedy... The shockwaves of annexation will last for decades, and will be extremely damaging to Israel, as well as to the Palestinians.”*

On 29 June, the **World Council of Churches** issued a statement warning that *“the planned annexation of Palestinian territories by the Government of Israel would be a serious obstacle for the achievement of justice and peace between Israelis and Palestinians. It will undermine even more the rights of Palestinians, reducing their mobility, their access to land and livelihoods, to adequate infrastructure and basic services. It will increase forced displacement, and it could prevent humanitarian organizations’ access in order to provide basic services and the necessary lifesaving interventions.”*

On 2 July, **Amnesty International** warned that moves towards further annexation of Palestinian land *“would mean a continuation of Israeli settlement expansion. It would also further entrench policies of institutionalized discrimination and mass human rights violations that Palestinians face in the OPT as a result of the occupation, including*

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*systematic denial of civil and political rights of Palestinians, as well as violations of other rights such as freedom of movement, equality and non-discrimination.”*

On 9 July, Israeli human rights NGO **Yesh Din** issued a legal opinion concluding that *“Continued creeping legal annexation, let alone official annexation of a particular part of the West Bank through legislation that would apply Israeli law and administration there, ... could mean strengthening the argument, which already is being heard, that the crime of Apartheid is not committed only in the West Bank. That the Israeli regime in its entirety is an apartheid regime. That Israel is an Apartheid state.”*

As we have repeatedly cautioned, the absence of accountability has enabled Israel's colonization and annexation of Palestinian land, rapidly leading to its imposition of a one-State reality of apartheid that must be urgently averted. Israel's crime spree in Occupied Palestine must be stopped, and only collective action can achieve this. It is high time for the international community to impose lawful, targeted and immediate sanctions on the occupying Power in response to its grave breaches of international law, to deter further violations against the Palestinian people, promote justice, and create the conditions for peace.

As sagely stated on 7 July in an open letter by **Christian Clergy from the Bethlehem Area**, *“While support for a two-state solution among the international community remains strong in rhetoric, there has been no tangible or coordinated action to block steps toward de jure annexation of the West Bank, let alone gross violations of human rights that have paved the way to it over the past 53 years. In allowing Israel to use its control over Palestinians to separate people and land, and in failing to hold Israel accountable to human rights violations in the Occupied Territory, the international community has rendered the vision it is purportedly promoting an impossibility.”*

We are grateful for the many reaffirmations from around the world on the need to end impunity and ensure accountability, including by the Belgian parliament on 26 June, the leader of the Labour Party in the United Kingdom on 27 June, thirteen members of the US Congress on 30 June, the Chilean Senate on 1 July, the Dutch parliament on 2 July, eleven European foreign ministers on 14 July, Mexican parliamentarians on 22 July, among many others.

In this regard, on 16 June, the UN Special Rapporteur on the human rights situation in Palestinian Territory occupied since 1967 also stressed *“Should Israel proceed with any form of annexation after 1 July – even if it is ‘annexation-lite’, consisting of several settlement blocs instead of the announced 30 per cent of the West Bank – the European Union must lead the world in imposing accountability measures. Any amount of annexation is contrary to the Charter of the United Nations, and a fundamentally illegal act.”*

Moreover, we welcome the letter signed by over 40 international women leaders on 1 July in response to an appeal by Palestinian women for action to stop annexation and end the Israeli occupation, as well as the principled voices of 1.6 million global citizens who signed an Avaaz petition entitled *“Palestine must live”*, standing against annexation and calling for justice and peace.

In this time of existential crisis, Palestinians, like the rest of the world, are also struggling to combat the COVID-19 pandemic and its severe health, social and economic impact. As of this date, the State of Palestine has confirmed **10,923** cases of the virus – **75** of which are in the illegally blockaded Gaza Strip – and **67** deaths as a result of the virus. Despite limited resources and severe restrictions and hardships imposed by the occupation, our national institutions are exerting all efforts to respond to this crisis.

Yet, Israel continues to hamper our efforts to combat the virus, making a severe crisis even worse. In Al-Khalil, one of the hardest hit areas in Palestine, the occupying Power once again destroyed a coronavirus testing

clinic. Additionally, the occupying Power continues to jeopardize the lives of Palestinian prisoners, including children, who are being detained in its jails in this time of pandemic. We must draw urgent attention to the plight of a prisoner, Kamal Abu Waer, age 46, who suffers from cancer and has also been infected by the virus and is in critical health. The Palestinian leadership calls for the necessary medical treatment and for his immediate release. We hold Israel responsible for the well-being of all Palestinians being unlawfully held captive by the occupation and call for their release.

As our people continue to suffer this belligerent, illegal occupation in all its forms, we appeal once again to the international community, including the Security Council, to speak up and take responsible action. We appeal to all States to stand firmly in defense of international law and in respect of the resolutions adopted across the decades on the Palestine question, to protect human rights, to salvage the prospects for a just peace based on the two-State solution, and to preserve the international rules-based order that is under such serious threat. We are at a critical moment with so much at stake and the time for united action is now.

This letter is in follow-up to our 689 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 26 June 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter made available to the members of the Security Council for their immediate, valuable consideration and also distributed as an official document of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

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## 6 August 2020 – Israeli Violations and Escalation of Settlement Activities

06 AUGUST 2020 BY [PALESTINE AT THE UN](#)

Excellency,

I write to you in follow-up to our recent communications regarding the grim situation being faced by the Palestinian people, including refugee community, in Occupied Palestine, including East Jerusalem, due to the continuing and escalating illegal policies and practices of Israel, the occupying Power, and its extremist military and settler forces, even in this time of global pandemic and rising cases of COVID-19 infection and the needs and instability this is causing.

As we have cautioned, most recently in our letter of 24 July, that Israel has 'refrained' from formally annexing parts of the West Bank on 1 July, as the Israeli Prime Minister and his cohorts have repeatedly threatened, should not distract the international community from the reality of what is being done on the ground by this illegal occupation. We reiterate the need for both vigilance and urgent, collective action to bring a halt to these crimes and to the terror being perpetrated daily against our people by the Israeli occupying forces and settlers.

As witnessed in recent days, the Israeli Prime Minister continues to push for and threaten annexation, insisting that *"it's [annexation] not off the table, the option still exists"* and that the Israeli government is carrying on with its discussions with the United States to implement this illegal plan. Confiscation of Palestinian property, demolition of Palestinian homes, and other military orders and measures continue to be carried out by the occupying forces in preparation for annexation. This includes recent military orders for the demolition of homes, structures and water wells of a Palestinian village in north of West Bank, Farasin, west of Jenin, which, if carried out, would result in the dispossession and displacement of 200 people. Moreover, Israeli settler leaders and gangs continue their provocative demands for annexation and incitement against the Palestinian people, terrorizing them in their homes, places of worship, and all over their land.

Israeli settlement activities continue unabated, with the occupying Power advancing plans for the construction of 1,000 more settlement units in the illegal settlement of "Givat Hamatos" and in the so-called 'E-1' area, east of Occupied East Jerusalem. Moreover, the siege and relentless acts of dispossession in Silwan, Al-Issawiya and Wadi al-Joz neighborhoods of the City continue, with home demolitions and pending orders gravely impacting the lives of countless Palestinian families, including children, as Israel continues its attempts to ethnically cleanse the City. It is obvious that all such actions are being taken to consolidate Israel's illegal annexation of Jerusalem



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and further its plans to annex more Palestinian land, in grave breach of international law, including the 4<sup>th</sup> Geneva Convention and the Rome Statute of the ICC.

We reiterate: any annexation – whether of the Jordan Valley, the ‘E-1’ area and/or the settlements, or of one or several so-called ‘settlement blocs’ – is illegal and must trigger consequences, including lawful countermeasures, i.e. sanctions, against the occupying Power. There is no other way to deter and bring a halt to such illegal actions and to reign in Israel’s impunity. There is no other way to compel compliance with international law and the relevant United Nations resolutions, including resolution 2334 (2016), and to salvage the internationally-endorsed two-State solution on the pre-1967 borders from Israel’s systematic attempts to destroy it. The Security Council and General Assembly must act and all States are required to uphold their legal obligations and responsibilities in this regard.

At the same time, absent accountability, the human cost of this illegal occupation also continues to rise. Palestinian civilians, including children, continue to be arrested, savagely interrogated, detained and imprisoned without charge. This includes the 22 July arrest of the Director of the Yabous Cultural Centre, Ms. Rania Elias, and her husband, the Director of the Jerusalem Society for Music Education, Mr. Suhail Khoury, and the raid of their home and premises in Occupied East Jerusalem and seizure of their passports, documents, computers, phones. Although they were released after interrogation, such actions attempt not only to intimidate Palestinians and mar reputations, but also to undermine efforts to preserve and sustain our cultural heritage in Occupied East Jerusalem, where dozens of Palestinian institutions and organizations have been closed by the occupying Power.

We must also draw attention to the recent detention of Mahmoud Nawajaa, the General Coordinator of the Palestinian BDS National Committee, who was arrested in an Israeli raid on his home near Ramallah on 30 July. Nawajaa was blindfolded, seized and taken away from his wife and three young children in the middle of the night and remains in captivity without charge, along with the thousands of other Palestinians being unlawfully imprisoned, who must be released by the occupying Power, which remains responsible for their safety and well-being, including in this time of pandemic.

Palestinians also continue to be killed and injured by the occupying forces and the bodies of those killed continue to be held by Israel, preventing families from honoring them with a dignified burial. This includes Ahmed Erekat, who was murdered by Israeli soldiers at a checkpoint on 23 June and whose body remains in captivity along with the bodies of 63 other Palestinians slain by the occupying forces and whose families continue to grieve their loss and their inability to lay them to rest.

Palestinian freedom of movement also continues to be violated by Israel’s racist and discriminatory permit regime and by its network of illegal settlements, the wall and bypass roads, along with other arbitrary restrictions on movement, affecting access to health care, even in this time of the COVID-19 pandemic, to education, to food and water, and to livelihoods. This form of violation even includes the prevention of travel of newborn babies with their mothers across borders. This illegitimate occupation further persists with its collective punishment of the Palestinian civilian population in innumerable other ways, none more inhumane than the blockade on the Gaza Strip, which has now entered its 14<sup>th</sup> year and continues to gravely impact every single aspect of the lives of the two million Palestinian children, women and men who live there. This is compounding the already-dire humanitarian crisis, making ever more urgent the need for support to UNRWA to enable the continuity of its lifesaving assistance to the Palestinian refugee community there, which comprises the majority of the population, along with the vital aid being provided by other UN agencies and humanitarian organizations.

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Added to all this is the constant harassment, intimidation and violence perpetrated by Israeli settlers across Palestinian towns and villages. This terror campaign is escalating as extremists have been emboldened by the Israeli government's constant annexation threats and the support for annexation by the US plan. Incidents of arson, vandalism, damage to trees and theft of agricultural produce are on the rise, in addition to attacks on Palestinians civilians, including women, children and farmers. Among many incidents include those that occurred in Al-Bireh and Battir which reflect these dangerous trends and the stoking of religious tensions by the occupying Power.

On 27 July, part of a mosque in the city of Al-Bireh, located adjacent to Ramallah, was set on fire in an attack by extremist Israeli settlers. Flammable liquid was poured through a smashed window and the fire charred walls and other property inside and mosque's walls were vandalized with graffiti which included derogatory language such as *"Siege for Arabs, not for Jews"* and *"the Land of Israel for the people of Israel"*. Days earlier, 12 cars in the nearby village of As-Sawiya were also vandalized and the words *"The nation of Israel lives"* was graffitied on a nearby wall along with a Star of David.

In the village of Battir, which is located south of Occupied East Jerusalem and known for its ancient agricultural terraces and which has been inscribed on UNESCO's World Heritage List and on the World Heritage in Danger List in 2014, and in nearby Beit Jala as well, armed settlers are carrying out incursions, attempting to seize Palestinian land. Armed with weapons and dogs, settlers have erected tents – an act typically signifying the establishment of a so-called 'settlement outpost'. According to the Israeli NGO "Kerem Navot", settlers have established 37 such outposts in this way across the West Bank in just the past five years. Moreover, settlers continually harass village residents, including women and children, and have been swimming in water cisterns that provide drinking water for the town, as well as pounding on the doors of the residents of Battir and demanding they present land ownership documents. As reported by Israeli media, the extremist settler leading these incursions is on record as declaring: *"I want all of Battir to go to hell... the State of Israel belongs to the Jewish people"*.

The settlers clearly seek to take over this land due to its elevation overlooking the area and because its seizure would separate two Palestinian villages (Battir and al-Walajah), while creating geographic continuity instead between the illegal settlement of Har Homa (Jabal Abu Ghneim) and Jerusalem. In this way, settlers are literally and physically trying to clear a path for the colonization and annexation of this land, creating facts on the ground and risking wider confrontation, all with the protection and support of the occupying forces and all in breach of international law.

As these aggressions on their lands, homes and their very existence in their homeland persist, the Palestinian people, while having little means to repel such attacks, remain steadfast. While relying on this resilience for decades to withstand and survive this oppressive and violent occupation, their main hope lies in the power of international law to bring an end to the crimes being perpetrated against them, to bring an end to the Israeli occupation and blockade of their land, to bring an end to this grave injustice.

On behalf of the Palestinian people and their leadership, we thus call once again upon the international community, including the Security Council and General Assembly of the United Nations, to uphold international law and to act now to ensure accountability and ensure the protection of the Palestinian people and their rights and land from this illegal occupation. We implore you to act now to stop colonization and annexation and to salvage the prospects for a just solution, in accordance with the international consensus based on the relevant resolutions, that fulfills the inalienable rights of the Palestinian people, including the Palestine refugees, allowing them to finally realize the freedom, justice and peace they have been for so long unjustly and cruelly denied.

This letter is in follow-up to our 690 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 24 July 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter made available to the members of the Security Council for their immediate, valuable consideration and also distributed as an official document of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyadh Mansour

Minister, Permanent Observer

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## 17 August 2020 – Israeli Colonization and Human Rights Violations in Palestine

17 AUGUST 2020 BY [PALESTINE AT THE UN](#)

Excellency,

In light of recent developments, I must write once more to draw the international community's attention to the countless crimes that continue to be perpetrated by Israel, the occupying Power, in Occupied Palestine. With absolute impunity, Israel carries on with its illegal colonization and annexation measures in our land and with its repression of the Palestinian people through measures of collective punishment, dispossession, displacement and other violations of their rights. That the status quo is unsustainable and highly volatile is an assessment the international community has long agreed on.

We are thus compelled to reiterate: Israel's "suspension" of plans to annex parts of the West Bank should neither be cause for relief, nor applause, by the international community. It is perverse to reward "not committing the crime of annexation", when respect for the law is obligatory upon all and, when in reality, the crime is being committed as we speak. This is reflected not only in the occupying Power's ongoing rhetoric and declarations of intent, most vocally by the Israeli Prime Minister, but by the occupying Power's actions on the ground, which indicate no sign of halting and reversing the seizure and colonization of Palestinian land, as repeatedly demanded by the international community, including the Security Council, most recently in its resolution 2334 (2016), and as obligated by international law.

What was stressed in the Security Council on 21 July in this regard bears repeating, ***"Refraining from de jure annexation must of course carry no reward; avoidance of criminality is normative not prize-worthy"***. (Briefing by Daniel Levy)

Those who believe otherwise are mistaken and fail to understand that stopping colonization and annexation is not an end in itself. Rather it is a primary condition for bringing an end to this illegal occupation and realizing Palestinian self-determination, independence and sovereignty in their land, two central pillars for a just solution that can ultimately restore the rights of the Palestinian people, including the Palestine refugees, and serve as the cornerstone for true peace and security in our region.

This conviction has long been at the core of the international consensus on the matter, based on international law and recognition of the root of this conflict – the denial of an entire people, the Palestinian people, of their human, national and territorial rights – and what it will take to justly and sustainably resolve it. Occupation and colonization, oppression and apartheid must never be normalized.

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The fact that Israel carries on with its colonization schemes in the West Bank, including East Jerusalem – systematically establishing facts on the ground blatantly aimed at annexing our territory, in grave breach of international law and rejection of the international consensus, based on international law and as enshrined in the relevant UN resolutions and the Arab Peace Initiative – should be cause for concern and action, not complacency or complicity. Just a brief look at the developments of the past week since our last letter reaffirm this stark reality.

Absent accountability, Israel has forged ahead with its settlement plans in the so-called 'E-1' area to the east of Occupied East Jerusalem, seeking to build thousands of settlement units on the lands of al-Tur, Anata, al-Eizariya, Abu Dis and Hizma villages. If implemented, such measures would completely sever the eastern area of Jerusalem from its natural Palestinian environs; encircle and besiege these areas, where approximately 1 million Palestinians live and which constitute the only significant land reserve they have economic and urban development, with a ring of illegal settlements; and cut off the northern and southern West Bank. Such actions threaten the contiguity of the Palestinian State and the viability of the two-State solution on the pre-1967 borders and must be stopped.

These illegal actions have been accompanied by more demolition of Palestinian homes, displacing Palestinian families and seizing their lands. In just one example, on 10 August, occupying forces demolished three Palestinian homes and a water tank used by village residents for drinking and watering crops in the areas of Jenin and Bethlehem. In Occupied East Jerusalem, three Palestinian brothers and their families were rendered homeless after the occupation authorities demolished their three-apartment building in the Silwan neighborhood under the pretext of construction without permit. In the Sheikh Jarrah area of the City, two other Palestinian families were ordered to tear down their homes also for lack of permit, or otherwise be forced to pay high costs if the demolition was undertaken by the occupation authorities. These neighborhoods have been systematically and fiercely targeted by the occupation and so many other families are threatened by demolition orders and the revocation of residency rights.

Also, 20 Palestinian families in the northern village of Farasin have received demolition orders. This includes the Amarneh family, who have lived in a cave home for over a year after repeatedly failing to receive permits to build a home in Farasin. Now, this cruel occupation wants to evict Ahmed Amarneh and his family, including a pregnant wife and young daughter, from their home because it has "allocated" this land for the construction of more illegal settlements. If not stopped, this family will be tragically added to the thousands of Palestinians rendered homeless and forcibly transferred from their lands by the Israeli occupation, which continues apace with its decades-long policy of displacing the Palestinian people from their land and replacing them with Israeli settlers, in other words ethnic cleansing.

At the same time, the Israeli occupying forces have continued their violent military raids of Palestinian cities, towns, villages and refugee camps, causing more civilian casualties. This includes the murder of a young woman in Jenin on Friday, 7 August. Dalia Samoudi, age 23 and a mother of two young children, was shot and killed inside her home as she ran to close the window to protect her children from the tear gas and ammunition being shot by Israeli occupying forces that had raided the area.

Israel also continues to launch airstrikes at the Gaza Strip, further terrorizing and traumatizing the 2 million Palestinians besieged there by Israel's illegal and medieval blockade. Israeli helicopter gunships and tanks attacked several sites in Gaza early on 12 August, causing destruction to infrastructure, including an UNRWA school, and agricultural lands. These strikes and repeated threats by Israeli officials for further attacks on Gaza are escalating tensions and deepening the fears of the civilian population of yet another barbaric military aggression by the occupying Power.

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We urgently appeal to the international community to assume its responsibilities towards this unlawful situation and protracted protection crisis in the Occupied Palestinian Territory, including East Jerusalem. The Security Council and General Assembly must uphold their Charter duties and all States must uphold their legal, political and moral obligations to bring an end to this injustice. That begins with holding Israel accountable for its crimes against the Palestinian people, foremost the violation of their right to self-determination through the continued imposition of this illegal occupation.

As repeatedly demanded by the international community, the Israeli occupation must be brought to an end and the Palestinian people must realize their right to self-determination and independence in their State of Palestine, with East Jerusalem as its capital, and all other of their inalienable rights, including to return. This is the key to justice, to an end to the Israeli-Palestinian conflict, and to the peace and security long sought in the Middle East.

This letter is in follow-up to our 691 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 6 August 2020 (A/ES-10/xxx-S/2020/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have this letter distributed as an official document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

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# Exhibit O

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## Statement by H.E. President Mahmoud Abbas, President of the State of Palestine, Delivered before the United Nations Security Council on The Situation in the Middle East, including the Palestine Question on 11 February 2020

11 FEBRUARY 2020 BY PALESTINE AT THE UN

Mr. President, Excellencies, Ladies and Gentlemen,

I come before you to appeal on behalf of 13 million Palestinians for a just peace, nothing more, nothing less. I come before you to reaffirm the Palestinian position of rejection of the US-Israel deal, supported by the positions of the League of Arab States, Organization of Islamic Cooperation, and African Union, which all categorically rejected this deal, in addition to the statements by the European Union, Russia, China and Japan and the countries of the world, as well as, and I want to particularly mention them, the statements by the Secretary-General, all reaffirming commitment to the international terms of reference and United Nations resolutions.

This broad rejection of the deal stems from the unilateral positions contained in it, and the fact it clearly violates international law, United Nations resolutions and the Arab Peace Initiative; ignores the legitimate aspirations of the Palestinian people and their right to self-determination, freedom, independence in their own State; and attempts to grant legitimacy to illegal measures such as the settlements and expropriation and annexation of Palestinian land.

I stress here that this deal or any part of it should not be considered as an international basis or reference for negotiations as it constitutes a US-Israel preemptive deal aimed at liquidating the Palestinian cause. The fact alone that it denies Palestinian sovereignty over East Jerusalem warrants its rejection. The fact that it transforms our people and land into fragmented, isolated communities warrants its rejection. The fact that it deprives us of control over our land, borders, water, and airspace warrants its rejection. The fact that it erases the question of Palestine refugees warrants its rejection.

This plan destroys the basis on which the peace process was launched. It disregards the signed agreements based on the vision of two States on 1967 borders. It will not bring security or peace to our region. We therefore cannot accept it and will confront its implementation on the ground.

Here is the conclusion of the plan that was presented to us (shows conceptual map), and the "State" that it gives us, and that looks like Swiss cheese. Who among you would accept such a State?



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This deal, ladies and gentlemen, contains diktats, consecrates occupation and annexation by military force, and would lead to an Apartheid system, an anachronistic reality being implemented today in Palestine. It rewards occupation instead of holding it accountable for the crimes it has committed for decades against our people and land.

I want to express our gratitude for the positions expressed by countries, regional and international organizations, parliaments, and Members of the Security Council that have risen along our side to defend the international consensus, based on international law and relevant UN resolutions. I also want to thank Israelis – yes Israelis – who expressed rejection of this deal in various ways. 300 Israeli officers have declared rejection of the deal, they say we now fight for justice (shows the petition). We also salute the demonstrations in Tel Aviv against this deal. We also express appreciation to the members of US Congress and Senate as well as US organizations and free voices that have expressed such rejection, and we value their commitment and their support to peace and to international legitimacy (shows letters by 107 Members of Congress and by 12 Senators, including 3 Presidential candidates).

And we salute our Palestinian people, and Arab and Muslim peoples and all peace-loving nations around the world. Palestinians have come out in thousands, hundreds of thousands, in the West Bank and the Gaza Strip, despite freezing temperatures, to say no to this unjust plan. So it is not as some may say that it is only Abu Mazen and a couple of people who reject the plan. Hundreds of thousands took to the streets to say no; tens of thousands around the world also came out to say no. To those who still insist that this deal is fair, we say it is not.

I come before you today to say that peace between the Palestinian and Israeli peoples is still possible and achievable. I have come here to build an international partnership to achieve a comprehensive, just and lasting peace, which remains our strategic objective.

This deal does not constitute an international endeavor. It came from one country with the support of another with the aim of imposing it on the world and against international legitimacy as enshrined in hundreds of United Nations resolutions, including tens of Security Council resolutions. This deal is unacceptable.

Mr. President, Ladies and Gentlemen Members of the Council,

I must ask: why the insistence to unilaterally draft this US-Israeli plan, despite the fact that we were in a dialogue with the US administration all of 2017 and discussed all final status issues, including in a long dialogue between President Trump and myself. We spoke at length about the international legitimacy, the vision of two States. He told me he was ready to immediately announce that he adhered to this vision. We spoke of the 1967 borders, Jerusalem, security and all other issues that were not settled in Oslo.

I was pleased with this dialogue with him, only then to be surprised by the announcement of Jerusalem “undivided capital of Israel” and the transfer of the US embassy and calls to the rest of the international community to follow suit; the closure of the PLO office in Washington; the cutting of assistance to us, \$840 million worth of aid; the termination of funding to UNRWA. I don’t know who gave such dreadful advice. The President Trump I know is not like that, and I don’t know where these actions came from.

Let me recall that the Madrid Peace Conference, the Oslo Accords, the Washington negotiations, as well as the Annapolis Conference for peace, were all on the basis of the international terms of reference and United Nations resolutions and called for negotiations on all final status issues, including Jerusalem, which was an issue for negotiation not imposition or preemption, and not a grant to be given to Israel. No, this is an occupied

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territory. Who has the right to give it away? This Council is the highest authority in the world and we accept your rulings and decisions.

All throughout, ladies and gentlemen, we remained committed to implementation of all agreements concluded with Israel, and acted responsibly, and that is why we achieved the respect of the world. 140 countries have recognized the State of Palestine and we have become an integral part of the international system as an observer State. We have not been able to become a Member State because of the prospect of a US veto. We joined over 120 Conventions, agencies and organizations, and we, the observer State, chaired the Group of 77 and China for the year 2019. We do exist.

And we continue building the national institutions of our State based on the rule of law and the international standards for a modern, democratic State, as well as on transparency and accountability, including fighting against corruption. Indeed, our country is at the forefront of the efforts to fight corruption, and this young State still under occupation is corruption free and those who say otherwise can come and see for themselves. I invite the Security Council to send a fact-finding mission to Palestine on this and all matters.

We have worked to empower women and youth and spread the culture of peace among our people, all our people. We tell them we reject war and terror, violence and terror worldwide, and we have concluded protocols with 83 countries first and foremost with the United States, as well as Canada, Russia, Japan, and others, to fight terrorism. We are not terrorists. And, regardless of what we endure, we will remain committed to the fight against terrorism.

We held elections three times, as we believe in democracy, but Israel refuses to let us organize elections. Why? Because they prevent us from organizing elections in Jerusalem, despite the fact that we held elections there in 1996, 2005 and 2006. Now as Jerusalem is being considered the "undivided capital of Israel" we are being prevented from holding elections there. That is not acceptable. East Jerusalem is ours and West Jerusalem is theirs, and both countries can cooperate together.

Mr. President, Ladies and Gentlemen Members of the Council,

They say we missed the opportunities for peace. This is not true. Abba Eban happened to say one day that "Palestinians never miss an opportunity to miss an opportunity". Where did he come up with this, I do not know. And Kushner is repeating it. What is the opportunity that we have missed? Don't use such silly slogans.

We have accepted all United Nations resolutions, starting with Security Council resolutions 242 and 338, all the way to 2334, adopted three years ago by your Council. We became an active actor on the international arena. In 1993, we concluded the interim Oslo Accords and remained committed to all its provisions and to the exchange of letters between us and Israel, which provide for mutual recognition. In Oslo we recognized the right of Israel to exist, as stated by Yasser Arafat, and Rabin recognized the PLO as the legitimate representative of the Palestinian people. What opportunities did we miss?

We were receptive to the efforts of successive US administrations and engaged with them, as well as with international initiatives and all invitations for dialogue and negotiations. Yet, at no point in these efforts was the bare minimum of justice for our people based on international law and United Nations resolutions ever presented. And, now, this current government representing the occupying Power is actively undermining all international efforts.

We have dealt with every opportunity seriously as peace is in the interest of our people and of the peoples of the world.

Several countries invited us, Russia, Japan, Belgium, Netherlands, to meet with Netanyahu on their soil and Netanyahu never honored such an invitation. I went three times to Moscow and Netanyahu never came. So who does not want peace?

So tell me what opportunities have we missed?

At the same time, Israeli governments and Israeli settlers continue destroying any prospect for peace, accelerating their colonial settlement activities all over the occupied West Bank, constructing settlements unchecked, alter the character of occupied Jerusalem, pursuing their aggression against Muslim and Christian holy sites, expropriating land, and continuing their war and blockade against our people in the Gaza Strip. They are unfortunately backed by the might of the United States, which has undertaken a number of decisions in breach of international law that have been rejected by the rest of the world and also by US Congress members and many organizations working for peace, including American Jewish organizations.

The US Congress, in its decision number 326, opposed the policy announced by US Secretary of State Pompeo and of the US President on annexation and settlement activities and reaffirmed the two-State solution and the right of our people to self-determination. These are not solely our positions, but the positions of the US Congress.

I must also stress that we refuse to forgo political solutions for economic assistance, that invention they pursued in Bahrain, Warsaw, and elsewhere, saying they will give us 50 billion dollars, but where is the political solution? We refuse that. A political solution comes first. And if it is followed by economic assistance that is fine, but economic assistance is not the primary issue. We thank all countries that support us and without conditions to build our Palestinian institutions that will carry us towards our independent State with God's will.

Mr. President, Ladies and Gentlemen Members of the Council,

In these difficult times and before it is too late, I want to address President Trump to tell him the US plan cannot achieve peace and security by erasing international legitimacy. Who can erase international legitimacy? In this highest body, who can ignore this? The plan presented by President Trump does that and denies the legitimate national rights of the Palestinian people, and removes East Jerusalem from under Palestinian sovereignty, and will not lead to the implementation of the vision of two independent sovereign States, Israel and Palestine.

I therefore appeal to President Trump to show fairness and justice, to support the implementation of United Nations resolutions, to preserve the chance of achieving genuine peace between Palestinians and Israelis. There can be no imposed peace.

Let us achieve peace together, and we managed to do so without intervention in Oslo and without knowledge of any State, and whoever says I knew, I challenge them. We reached an interim agreement and were ready to honor it for five years until we concluded a final peace agreement, but they assassinated Rabin. Why did they assassinate Rabin? May he rest in peace.

From this chamber, I call on the Quartet, composed of the United States, the Russian Federation, the European Union and the United Nations, as well as the members of your august Council, to convene an international peace conference, with a view to implementing United Nations resolutions, first and foremost resolution 2334, as well as the vision of two States and the Arab Peace Initiative, that we insist on as part and parcel of the international legitimacy, and of resolution 1515, through the establishment of an international mechanism with the Quartet and any other countries to oversee



negotiations between the parties. But in all honesty, we will not accept the United States as sole broker as we have tried this before.

I call on the international community in its entirety to pressure Israel, the occupying Power, to end its occupation practices and policies that aim to annex Palestinian land. What right do you have to annex our land? You will destroy the chances of peace.

In this historic moment, I extend my hand for peace once again before it is too late, and I hope to find a real partner for peace in Israel, any person who believes in peace, so we can achieve genuine peace that will bear fruit for the present and future generations of Palestinians and Israelis and for the countries and people of the world.

Ladies and gentlemen,

Our Palestinian people can no longer withstand the Israeli occupation of our country, and the situation as a whole is explosive. To prevent that, we need to renew hope for our people. Do not deny hope to our people and the peoples of the region to live in freedom, independence and peace, and the hope that the free world will rise for its rights. Do not kill that hope for our people.

I want to show you a map of Palestine and the changes that have occurred on the ground since 1917, 1937, 1947, 1948 until 2020. What I see breaks my heart. Is this what we deserve? Is this what the Palestinian people deserve? Why were we there and now find ourselves in these islands? (shows maps)

On this occasion, I address the Israeli people to tell them that the pursuit of occupation, settlements, military control over another nation will not bring security or peace. We only have one choice, to be partners and neighbors, each in our independent sovereign State. Let us uphold together this just choice before it is too late.

I reiterate that our conflict is not with the followers of the Jewish faith. We are not against Jews. We Muslims are not against Jews. The Muslim that says I am against the Jews is an infidel. If one says he is against Jews or the Torah, he is an infidel, not a Muslim. We are not against Jews; we are against whoever oppresses us regardless of their religion. And, our struggle is not against Jews, but against those who occupy our land. We will therefore continue to pursue our struggle, during which we have endured great sacrifices with thousands of martyrs, prisoners, and wounded, in order to end this occupation and achieve our independent State. We reaffirm that our people will not kneel. We want our rights, and we salute all those who help us achieve them. We will not surrender to this occupation, however long it takes and no matter what sacrifices we have to endure.

And I conclude by saying once again: I am ready to resume negotiations, as I have always been, if there is an Israeli partner ready to negotiate, under the auspices of the Quartet, and based on the international terms of reference, and I am serious in what I say. I am ready to remain here in the house of international legitimacy to start these negotiations immediately.

Let me also state once again that we will not resort to violence or terrorism, despite the aggression against us. We are believers in peace and in fighting violence, and we are ready to cooperate with any country to fight terrorism. We are against terrorism and violence, by whomever, and we will resort to peaceful popular resistance.

Look at what is happening now in the West Bank and the Gaza Strip, thousands have taken to the streets to say no to the deal. It is not my position alone, the entire Palestinian people say no to the deal.

Finally, I tell the world: be careful not to kill the hope of the Palestinian people. I came here to preserve hope, don't take that hope away from us.

I thank you, Mr. President.

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## Statement by H.E. Minister Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, before the United Nations Security Council, Debate on the Situation in the Middle East, including the Palestine Question, New York, 23 April 2020

23 APRIL 2020 BY PALESTINE AT THE UN

Mr. President,

We congratulate the Dominican Republic on its leadership of the Security Council in these turbulent days. We also commend China for its stewardship of the Council in March.

We thank UN Special Coordinator Nikolay Mladenov for his briefing and for his efforts and those of Humanitarian Coordinator Jamie McGoldrick and their team in Palestine at this critical time, including in support of our collective efforts to combat the COVID-19 pandemic.

On behalf of the Palestinian Government and people, I convey our deepest condolences to all bereaved families and countries on the tragic loss of life caused by this virus, and reaffirm our solidarity with all afflicted, wishing the restoration of health and stability to all.

We recognize the leadership of UN Secretary-General António Guterres and Deputy Secretary-General Amina Mohammed in response to the pandemic. We commend their efforts to mobilize the UN system, with WHO in the lead to address the health impact of the pandemic, along with all relevant UN agencies that are helping alleviate the pandemic's vast economic, social, humanitarian and security impacts, including on women, children and youth, refugees and displaced persons.

This includes the valiant efforts of UNRWA in support of the Palestine refugees, alongside the other UN agencies and humanitarian organizations assisting the Palestinian people, helping protect them from the ravages of the pandemic, while alleviating the needs and hardships caused by Israel's illegal occupation and the historic injustice they have been forced to endure for so long. We appeal for urgent international support to UNRWA to ensure continuity of its essential work.

Today, we also underscore the Secretary-General's wise call for a global ceasefire, which President Mahmoud Abbas has endorsed on behalf of the State of Palestine. This must include a call on Israel, the occupying Power, to



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cease its war against the Palestinian people; stop its denial of their right to self-determination; stop its colonization and *de facto* annexation of Palestinian land; end its immoral blockade on the Gaza Strip; and release the thousands of Palestinians, including children, that it has imprisoned, who are at great risk of contagion in crowded, unsanitary prisons.

Israel must be unequivocally called upon to respect its legal obligations under the 4<sup>th</sup> Geneva Convention, and accountability for violations is imperative. Only in this way can human lives be saved and can the potential for peace and justice ever be realized.

We recognize that so many are now suffering and that fears about our individual and collective futures are at an all-time high. The Palestinian situation in this pandemic is, however, unique and painfully acute. Our coping capacities have been depleted by 53 years of this illegal occupation and its constant dispossession, deprivation and oppression of our people. This crisis will only exacerbate an already volatile situation.

Thus, the state of emergency declared on 5 March remains in place with a view to stopping the virus' spread, which would be disastrous, especially in Gaza where the health system is near collapse and an outbreak would gravely endanger lives, especially in the refugee camps. Despite limited resources and the severe restrictions imposed by the occupation, our Ministries and relevant national institutions are exerting all efforts to protect our population and respond to the vast humanitarian and socio-economic repercussions of this crisis and are doing so with the support of UN agencies and generous assistance of countries the world over, for which we are grateful.

Regrettably, however, even the extreme challenges posed by this pandemic to all have not convinced the occupying Power to stop its crimes. Instead, Israel carries on with its illegal policies and practices, business as usual. Whatever technical coordination has been achieved between the two sides in recent weeks to combat COVID-19 has been undercut by incessant violations. This is not politicization of the matter, as alleged by the Israeli representative; these are the hard facts.

Most flagrant of these violations has been Israel's annexation push. Officials and extremists openly vow to annex parts or all of the West Bank and brag about plans to commit this crime and to do so in full coordination with the current US administration. Shockingly, annexation became the centerpiece of the recent negotiations to form the new Israeli government.

While world leaders have been calling for negotiations to resolve all final status issues to end the Israeli occupation that began in 1967 and achieve a just and lasting peace, we are certain they did not mean negotiations between Netanyahu and Gantz to determine what Palestinian land they would steal and illegally annex.

Yet, as revealed by the cynical agreement reached in these past days, the Israeli government is forging ahead, in breach of the Charter and all other relevant provisions of international law, in blatant contempt of the Security Council, and undeterred by the international community, believing only the support of its main patron State matters.

This should leave no doubt as to the extent that Israeli impunity has been emboldened by the US plan unveiled on 28 January and its dismissal of the internationally-endorsed terms of reference and parameters of a just solution based on international law, UN resolutions, the Madrid principles and the Arab Peace Initiative and the framework of two States on the pre-1967 borders.

We reiterate: the US plan will not bring peace. This plan – and Israel's decision to proceed with annexation – will destroy the two-State solution and entrench Israel's military control over the Palestinian people and land.

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As stressed in the Secretary-General's last report on resolution 2334 (2016), *"Unilateral steps are detrimental to peace... Israeli officials have repeatedly stated their intention to annex Israeli settlements and other parts of the occupied West Bank. If implemented, such steps would not only constitute a serious violation of international law, but they would also effectively end the prospect of the two-State solution and close the door to negotiations between Israelis and Palestinians"*. The result, we all know, will be a one-State reality of apartheid, guaranteeing more conflict, harming generations more of Palestinians and Israelis and the entire region.

Such an outcome must be averted at all costs. The international community must repudiate and demand a halt to all annexation measures. Do not fall prey to the pretexts crafted by Israeli officials – now the excuse of the pandemic – to divert attention from these crimes. Do not be fooled by the naming of the new government as a “national emergency government”. Congratulatory words that ignore that annexation is central to this government's program effectively bless such crimes.

In this regard, we recognize the many strong statements issued – by Arab, European, African, Asian and Latin American States and organizations, as well as by Special Envoys of concerned States and by the UN – opposing Israeli annexation plans and demanding a halt. But, the years have proven that statements alone will not compel Israel's respect for the law, nor avert its looming destruction of the two-State solution as annexation is unfolding on the ground as we speak.

We urge the international community to act immediately, enforcing concrete and practical measures to hold Israel accountable for its perverse impunity. There must be consequences. There must be deterrent action. Only such action – by this Council, by the General Assembly, by the Quartet, in international judicial bodies, by parliaments and governments and by civil society – can ensure accountability towards halting violations and salvaging the prospects for a just peace and security based on the global consensus.

Without a halt to these violations, no efforts to create a credible political horizon towards attainment of a just, lasting and comprehensive solution will ever succeed.

The real concerns and worries raised worldwide by this horrible pandemic cannot be used as an excuse to ignore human rights violations and look the other way, as Israel would wish everyone do. On the contrary, this pandemic has only further highlighted the absurdity, immorality and illegality of such crimes and the urgency of bringing them to an end, right now.

When people everywhere are being instructed to shelter at home, how can Israel, justify destroying homes? When people everywhere are desperately seeking medical care, how can Israel justify destruction of clinics and humanitarian assistance and medical neglect of prisoners? When the Secretary-General, joined by Pope Francis and leaders around the world, appeals for a global ceasefire, how can Israel justify its entrenchment of occupation and pursuit of annexation?

Now is the time to cease those violations and reverse the negative trends on the ground, not escalate them in such a flagrant, provocative way. Now is the time to heed the global calls for respect of international law, including the 4th Geneva Convention, and the relevant UN resolutions.

Now is the time to become more humane, more giving, not more brutal and more insatiable, imposing apartheid and never-ending conflict.

Now is the time to see the other as equal, as deserving of freedom and safety and security and prosperity as yourselves.

Now is the time to recognize our common humanity and shared future, to revive hope and trust. Now is the time to recognize that no injustice will last forever.

Israel has a choice. It may feel emboldened to blindly and arrogantly move ahead with annexation. But, should it choose to go down this illegal, destructive path, then it should not be surprised at the chain of events that will unfold. Many countries have already forewarned that annexation will not go unchallenged and that there will be consequences.

Those who are principled, who respect international law and the authority of the Security Council and General Assembly as pillars of the rules-based international order, will not stand idly by while the law and human rights of an entire people are so flagrantly breached and while the foundations for a just peace are destroyed, setting dangerous global precedents.

And, the Palestinian people will never forgo their inalienable human rights, including to self-determination and independence and to exist as a free and equal people, living in dignity, security and prosperity in their homeland. Even if the two-State solution is destroyed, it will not end their quest for freedom and justice. The Palestinian people and leadership remain resilient.

We must join together to uphold international law and insist on its respect without exceptions. It is time for an international peace conference to finally resolve the Palestine question and end the Israeli-Palestinian conflict. It is time to bring this illegal occupation to an end. It is time for justice and for the Palestinian people to know freedom and dignity in their independent, sovereign State of Palestine, with East Jerusalem as its capital, to live side by side in peace and security with all of their neighbors, joining together to meet all the challenges before us and create a better, brighter future for all of our peoples.

I thank you, Mr. President.

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## Statement by H.E. Minister Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, Security Council open high-level video conference on Protection of Civilians in Armed Conflict, 27 May 2020

27 MAY 2020 BY PALESTINE AT THE UN

Mr. President,

Allow me at the outset to thank the Estonian Presidency for convening this important high-level debate and for placing at the center of its Presidency the lessons of the Second World War, which served as the foundations for the establishment of the multilateral rules-based order. At a time when this order is threatened, it is important to remember why it was built and what the alternative would be.

We thank the Secretary-General for his report and for his central role in helping preserve this order at this critical juncture, including when it comes to the defense of international law and the protection of civilians.

Mr. President,

I must address the situation of the Palestinian people, which OCHA characterizes “as a *protracted protection crisis driven by lack of respect for international law, and a lack of accountability for violations*”, and let me do so by stating some hard truths.

1. There is no right to security of the occupying Power at the expense of the security and protection of the occupied people, or at the expense of a people’s right to self-determination. There is no right to security that justifies permanent occupation or the illegal acquisition of land by force and its colonization. There is no right to security that justifies a blockade imposed on two million people for 13 years and the oppression of an entire nation. International law draws a clear line between legal action and war crimes and crimes against humanity. Allowing any country to blur this line places civilians in harm’s way and undermines peace and security.
2. Are the Palestinian people entitled to the protections availed by the UN Charter, international humanitarian law, international human rights law? The answer must be yes. Is anyone under the illusion that Israel, the occupying Power, has any respect for its obligations under these instruments? Israel has demonstrated time and time again its contempt for the rule of international law and for Palestinian rights and lives. Can one rely on Israeli courts to ensure the occupied people of the



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protections they are entitled to? The Israeli NGO B'Tselem, explaining its decision to no longer cooperate with the military law enforcement system, stated that it reached *"the realization that there is no longer any point in pursuing justice and defending human rights by working with a system whose real function is measured by its ability to continue to successfully cover up unlawful acts and protect perpetrators"*. So Israel cannot be trusted to ensure accountability for violations planned at the highest level and perpetrated with the virtual guarantee of total immunity.

3. The ICC was established to fill the gap left when national courts are unwilling or unable to hold perpetrators of grave crimes accountable and fail to deliver justice. The situation in Palestine corresponds exactly to this reality. Attacks and threats against the Court for fulfilling its mandate are intolerable and should be strongly rejected. The efforts to prevent the Court from exercising its jurisdiction in the Occupied Palestinian Territory aim at effectively denying Palestinian victims – millions of civilians – any avenue for justice while guaranteeing to Israel that there will be no accountability for its crimes, thus enabling their recurrence.

4. While some misguidedly state that Israel suffers from being singled-out in the UN, the reality is that Israeli exceptionalism, which has effectively guaranteed its total impunity for actions deemed as grave violations of the law by the international community, is the main reason for the perpetuation of its violations and crimes.

5. The Security Council and the General Assembly have called for international protection of the Palestinian people, and the Secretary-General made concrete recommendations in this regard in his report of 14 August 2018, and yet the Palestinian people continue to be denied this most elementary right, as the occupying Power has granted itself veto power over any effective action to provide protection for the Palestinian civilian population. The international community cannot continue tolerating this situation.

6. Now with the threat of further unlawful annexation looming, and as existing violations and crimes against the Palestinian people continue unabated, the price of impunity continues rising, and the Palestinian people continue paying it. This must change. The cost of occupation should fall on the occupying Power, not the occupied people, and only when this cost outweighs the benefits of occupation, will Israel be compelled to respect the law and work for peace.

7. The fate of the Palestinian people cannot be left to the mercy of the occupying Power. The international community cannot abdicate its obligations, especially as Israel systematically breaches its own. We call on the Council to fulfill its mandate under the Charter, and we call on all States that believe in the rule of international law, to uphold the law in a situation where its breach has been condemned and yet tolerated for too long, prolonging this illegal Israeli military occupation and its crimes against our people and preventing the achievement of peace. Third parties have the obligation to respect and ensure respect for international law, including by not recognizing the situation created by illegal actions, not rendering aid or assistance in maintaining the illegal situation, and by holding the State, entities, companies and individuals responsible for such violations accountable.

Mr. President,

In his report on protection of civilians in armed conflict, the Secretary-General identifies respect for the law and accountability for serious violations as the two most pressing challenges to strengthening the protection of civilians. He rightly notes that the normative framework and the tools to uphold it already exist. What is needed is the political will to use these tools to enforce the law. The international community displaying such political will not only help end the prolonged suffering of the Palestinian people, but will also help achieve peace in our region and beyond. Impunity is the enemy of peace. Accountability is the only path towards it.

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## Statement by H.E. Riad Malki, Minister of Foreign Affairs of the State of Palestine, before the United Nations Security Council's Monthly Briefing on the Situation in the Middle East, including the Palestine Question, Quarterly Report of the Secretary-General on Resolution 2334 (2016), 24 June 2020

24 JUNE 2020 BY PALESTINE AT THE UN

Mr. President,

Excellencies, Members of the Council,

We often use the image of a crossroad to explain how significant a moment in history is. It means your next decisions and actions will determine the course of history and the fate of nations. There is no doubt this is such a moment

For now, the driver is Israel and it will not stop at the crossroad to assess the implications of its choices because it is drunk on power, propelled by infinite impunity, motivated by one single thought that it has been under the influence of for decades: grabbing maximum Palestinian land with minimum Palestinians.

Israel is under the illusion that this is the destination and, once it reaches it, it will be able to enjoy the view. It ignores that the road cannot end there and continues downhill towards an escalation of the conflict due to an oppressive regime combining colonialism and Apartheid. It does not care that humanity has been down this road before, and that former colonial powers and liberation movements alike have all reached the same conclusion: such a regime cannot prevail and will only lead to more injustice, instability and insecurity.

As many times before, Israel seems determined to ignore that big red STOP sign the international community erected to save lives. Israel thinks, as has been its experience so far, that it will not be fined or arrested. It believes that Security Council resolutions are binding for others; international courts have jurisdiction over others; sanctions are for others. Israel judges, but cannot be judged. The only true bias towards Israel is the one shielding it from accountability and emboldening it by considering its illegal actions as so-called "realities" that need to be endorsed rather than reversed.

Israel is testing the resolve of the international community, thinking its colonial appetite will prevail over the collective international will to advance regional



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peace and security and to preserve the rules-based multilateral order. We must prove it wrong.

The international community remains committed to the rule of international law and to the international consensus on a just solution for the Palestine question. It opposes annexation in no uncertain terms, as reaffirmed in recent weeks by statements made from capitals from every corner of the globe. The global position also remains unwavering on the illegality of Israel's policies, including settlements. This wide international front, reflected in the gathering in the Jordan Valley just two days ago with broad Palestinian and international mobilization, in the UNRWA Ministerial meeting held yesterday, and in this High-Level Security Council meeting, is strong and remains our best hope.

Mr. President, Members of the Council,

Israel needs to know that annexation will have immediate and tangible repercussions. That is why we have called on the international community to adopt effective measures, including sanctions, to deter annexation and all other unlawful policies that have prepared the ground for it. It must also be made clear that annexation will irreversibly impact Israel's relations with Palestine and the region. The Oslo accords were supposed to transform us into peace partners, but regrettably Israel continued waging a war against Palestinian lives and rights. It has violated the spirit and letter of the agreements, and with annexation, is taking a decision that will defeat their very purpose. These accords were supposed to pave the way for an end of occupation and a final peace agreement. They cannot survive annexation.

As we celebrate the 75<sup>th</sup> anniversary of the UN Charter, let us honour the UN purposes and principles: respect for the principle of equal rights and self-determination of peoples, respect for human rights and fundamental freedoms for all without distinction, the suppression of acts of aggression and the prohibition of the threat or use of force against the territorial integrity or political independence of any state. Annexation, whether partial or total, gradual or immediate, is the ultimate breach of the UN Charter and cannot go unchallenged.

From a legal perspective, annexation is not only unlawful, it is a crime under the Rome Statute. From a political perspective, it will ruin the chances for Israeli-Palestinian and regional peace. From a security perspective, it is utter nonsense as it replaces internationally-recognized borders that can be defended with a system of military control and subjugation that only fuels conflict and violence. It is, as stated in the Secretary General's report, calamitous for Palestinians, Israelis and the region. The only explanation for it is an extremist ideology rooted in denial of the Palestinian right to this land, disregard for international law and negation of history.

It is this ideology that has undermined negotiations time and time again, with Israel using negotiations as cover for its continued colonization. This ideology fostered a narrative that Palestinians should be grateful that Israel was ready to give them back any part of their own land, fragmented and besieged enclaves, Bantustans, that Palestinians may even be allowed to call a "State". Genuine negotiations must aim at ending occupation to achieve peace, not at perpetuating occupation and calling it peace.

We remain committed to peace. We have presented our position in writing on all final status issues to the Quartet. Did the Quartet receive anything from Israel yet? We have never retracted any proposal we have made to find a compromise, unlike Israel which says we must renegotiate all over again with each new government. We have accepted the longstanding terms of reference and international law as the basis for negotiations, while Israel has rejected and violated them. We accepted the pre-1967 borders, agreeing to an historic compromise encompassing only 22% of Mandate Palestine, and yet Israel has spared no effort to undermine these borders. The entire world recognizes the significance of the Arab Peace Initiative and the promise it holds for our region. Where is the Israeli peace initiative? Even with the US

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plan, Israel said it is ready to take immediately whatever parts of our land the plan unlawfully grants it, while expressing readiness to negotiate the rest indefinitely.

That is why we call for an international peace conference and a multilateral mechanism that will help advance peace by holding the parties accountable, ensuring negotiations are neither a smoke screen nor a time-wasting exercise while Israel finalizes its colonial plans, but rather that negotiations are the path to just and lasting peace.

While Israel spares no effort to erase the pre-1967 borders, the Green Line, the world must consolidate them, including by recognizing the State of Palestine and by making any unilateral encroachment over the Green Line a red line. Every State has the power to help us change course before it is too late; the power to help end the Israeli occupation and salvage the two-State solution; the power to save lives; the power to preserve our global order. In fact, they have a legal and moral obligation to use this power through non-recognition and non-assistance to illegal actions, distinction, and accountability. Upholding their obligations is the only path to ensure Israel abides by its own.

At the end, allow me Mr. President to thank you for convening this important meeting. I also wish to express our appreciation to the Secretary General for his report and relentless efforts and those of his envoy to advance peace. If Security Council resolutions, including 2334, were implemented, peace would be a reality tomorrow.

Allow me also to seize this opportunity to thank the Secretary General of the Arab League and the Ministers for their participation today, as a clear signal of the urgency and gravity of the matter. I also wish to thank your country and Council members, past, present and incoming, for their consistent, principled stances, including against annexation. Allow me finally to thank the countries and the groups, including the Arab group, which has been fully mobilized in the lead up to this meeting, the OIC, NAM, the EU, that continue working to advance freedom, justice and peace, conscious of how this could transform our region and the world.

Mr. President,

The Secretary General in his report highlighted the urgency of reversing this dangerous trajectory we are on. We are at a crossroad and to reverse course, before it is too late, the international community must take hold of the steering wheel.

Thank you, Mr. President.

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## Statement by H.E. Minister Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, before the United Nations Security Council, Open Debate on the Situation in the Middle East, including the Palestine Question, 21 July 2020

21 JULY 2020 BY PALESTINE AT THE UN

Mr. President,

We appreciate your presence among us today, which highlights the importance of the matter at hand especially at this critical juncture. We also express our appreciation as to Mr. Mladenov and to the briefers, Mr. Shikaki and Mr. Levy, for their important presentations.

Mr. President,

As we celebrate Nelson Mandela Day, we must honor, through action, the struggle Mandela dedicated his life to. As highlighted in the important vision presented by the Secretary-General in his statement on this occasion, Mandela devoted his life to fighting inequality and injustice, regardless of its sources, and in solidarity with all its victims.

This included solidarity with the Palestinian people, with Mandela stressing “*We know too well our freedom is incomplete without the freedom of the Palestinians*”. There is a reason why those who have fought against colonialism and Apartheid remain the strongest advocates of the Palestinian cause. They recognize the similarity of our chains, but also our common aspiration to freedom, and we are proud to have them by our side in our ongoing just struggle.

Mr. President,

In times of war and times of peace, Israel has relentlessly entrenched its control over Palestinian land and Palestinian lives. Immediately after the start of the 1967 occupation, it initiated its first illegal settlements. In 1980, even as it concluded a peace agreement with Egypt, it unlawfully annexed Jerusalem. In 1993, as we concluded the Oslo Accords, it decided to speed up its settlement activities, with the number of settlers now being 7-fold what they were at the time. During the 2<sup>nd</sup> Intifada, it built a wall to cement its *de facto* annexation, as pronounced by the ICJ.

Regardless of what the Palestinian people did, and of what the international community said, Israel never changed course. Whether there were negotiations or not, violence or not, international efforts or not, it pressed on,



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and impunity from accountability under the law guaranteed that the benefits of occupation would far outweigh its cost. Its strategic objective has never changed: grabbing maximum Palestinian geography with minimum Palestinian demography.

In a week from now, we will commemorate 40 years since the unlawful annexation of East Jerusalem. Since then, Israel has launched a full-fledged war against Palestinian presence in the City. It is a cold-blooded and systematic endeavor through a well-oiled machinery of illegal laws, policies and practices. Discriminatory zoning and planning has isolated Palestinians within 13% of their own City, the area of East Jerusalem already built-up in 1967. The occupying Power has created a coercive environment with constant home demolitions, revocation of residency cards, preventing family reunification, all designed to achieve the forcible transfer of Palestinians. It has closed down Palestinian institutions, continues preventing elections and regularly arresting the Palestinian Governor of Jerusalem. Its settlers have besieged the City from inside out. It is a slow, silent and yet violent process of dispossession and annexation.

Since then, Israel has not declared its annexation of any other part of the Occupied Palestinian Territory. It feared the consequences of such action, especially given the strong international reaction to its decision, including by this Security Council, as witnessed in 1980 and again in 2017. It kept waiting for a crack in the international system to formalize what it had illegally advanced on the ground. It finally thought it had reached this long-awaited moment, where it could reveal its true and not so well-hidden intentions.

However, something happened in these last few weeks that, if furthered, may allow us to shift course towards peace. The firm positions expressed by so many governments, including Security Council members at Ministerial level, intergovernmental organizations, including the Arab League, EU, NAM, OIC, parliamentarians, civil society actors, legal scholars, independent human rights experts, the Elders, women leaders and peoples of conscience worldwide demonstrated the global commitment to justice and international law and human rights. It is a formidable international front against annexation and occupation and for peace that must be sustained.

Stopping annexation is a critical battle that we must win, but we should not forget the war that Israel has been waging for decades. Israel may abandon declaring *de jure* annexation, but it will not abandon its annexation plans. They are being implemented as we speak, one military order at a time, one demolished house at a time, one confiscated parcel of land at a time, one Palestinian family displaced at a time, one settlement unit at a time.

The Prime Minister, the soldier, the settler, the bureaucrat, the parliamentarian, the judge in the military court, they all conspire towards that objective Israel has pursued obsessively: grabbing maximum Palestinian geography with minimum Palestinian demography.

The world cannot unsee what Israel has so starkly revealed. It has no intention whatsoever to end its 53-year occupation and make peace. Israel wants its illegality to be considered an irreversible reality, asking for recognition instead of displaying contrition. We tell Israel: what is irreversible, as Mandela said, is our march to freedom.

A people that has been uprooted from their homeland, dispossessed, exiled, occupied, colonized, annexed and deprived of their fundamental human rights cannot continue to be blamed for their plight and inability to bring an end to it, while they continue, against all odds, to seek a solution through the most peaceful, legitimate means, until now to no avail.

The South African Nobel Peace Laureate Chief Lutuli declared *"Who will deny that thirty years of my life have been spent knocking in vain, patiently, moderately, and modestly at a closed and barred door? What have been the fruits of moderation? The past thirty years have seen the greatest number of*

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*laws restricting our rights and progress, until today we have reached a stage where we have almost no rights at all".*

We could, 27 years since the signing of the Oslo Accords, almost repeat what he said word by word. But we believe that the international community can and must reward moderation and sanction extremism before it is too late.

Mr. President,

Who are the rejectionists? Those adhering to UN Security Council resolutions or those violating them? Those accepting the two-State solution on the pre-1967 borders or those destroying it? Those calling for international involvement, including through the Quartet and other multilateral efforts, to foster peace and hold the parties accountable, or those who seek endless "talks" with no results? Those who have presented maps and clear positions on all final status issues or those fleeing and violating any commitment?

Who are the delusional ones? Those seeking just and lasting peace that ensures the rights, dignity and security of all, or those who believe that Palestinians must accept, after a century of struggle for freedom, to live in Bantustans and surrender to perpetual injustice? Those who pursue an end of occupation to allow for peaceful and normal relations in the region, or those who believe it is possible to achieve acceptance by the region and security while denying the rights of an entire nation and undermining regional peace and security? Those advocating respect for international law and UN resolutions, or those who use religious extremism, supremacist theories, and unhinged nationalism to justify violating them.

Mandela's legacy is under threat in many parts of our world, and nowhere is this more true than in Palestine. 40 years ago, this Council stated, after the annexation of Jerusalem, its determination to examine practical ways and means, in accordance with the Charter, to secure the full implementation of its resolutions, in the event of non-compliance by Israel. Time for action by all is long overdue, and indispensable to ensure the triumph of freedom and dignity, justice and peace.

The law matters. Principles matter. Accountability matters. This is the lifeblood of the international community and the basis for peaceful relations and stability and security worldwide. Palestine is no exception.

I thank you, Mr. President.

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